

commencement of each regular session of the legislature, and their term of office (except in cases otherwise provided for in this constitution) shall commence on the first Monday of May next ensuing their appointment, and continue for two years (unless sooner removed from office,) and until their successors respectively qualify according to law.

"Sec. 17. The governor may suspend or arrest any military officer of the State, for disobedience of orders, or other military offence, and may remove him in pursuance of the sentence of a court martial; and may remove for incompetency or misconduct, all civil officers who received appointments from the executive for a term not exceeding two years.

"Sec. 18. The governor may convene the legislature, or the senate alone, on extraordinary occasions; and whenever, from the presence of an enemy or from any other cause, the seat of government shall become an unsafe place for the meeting of the legislature, he may direct their sessions to be held at some other convenient place.

"Sec. 19. It shall be the duty of the governor semi-annually, and oftener if he deem it expedient, to examine the bank book, account books, and official proceedings of the treasurer and comptroller of the State.

"Sec. 20. He shall from time to time inform the legislature of the condition of the State, and recommend to their consideration such measures as he may judge necessary and expedient.

"Sec. 21. He shall have power to grant reprieves and pardons except in cases of impeachment, and in cases in which he is prohibited by other articles of this constitution, and to remit fines and forfeitures for offences against the State; but shall not remit the principal or interest of any debt due to the State, except in cases of fines and forfeitures; and before granting a nolle prosequi, or pardon, he shall give notice in one or more newspapers of the application made for it, and of the day on or after which his decision will be given; and in every case in which he exercises this power, he shall report to either branch of the legislature, whenever required, the petitions, recommendations, and reasons which influence his decision.

"Sec. 22. The governor shall reside at the seat of government, and shall receive for his services an annual salary of four thousand dollars."

#### SECRETARY OF STATE.

Section twenty-three was then read as follows:

"Sec. 23. A secretary of state shall be appointed by the governor, by and with the advice and consent of the senate, who shall continue in office, unless sooner removed by the governor, till the end of the official term of

the governor from whom he received his appointment, and shall receive an annual salary of one thousand dollars."

Mr. JONES, of Somerset. I think this section should be amended. It was suggested yesterday, in opposition to making the lieutenant governor perform the duties of secretary of state in addition to his own appropriate duties, that the secretary of state was a sort of confidential officer of the governor, appointed by him, and in confidential relations with him. That, I presume, is true. If so, then I think his term of service should be only while the governor who appointed him continues to act as governor. And if at any time the governor should die, or become disqualified, then his successor should be allowed to appoint a secretary of state, to occupy towards him the same confidential relations.

Mr. MILLER. The section as it stands covers the case. It says the secretary of state shall continue in office "till the end of the official term of the governor from whom he received his appointment." If he received an appointment from A as governor, and the official term of A expires, either from the lapse of time, resignation, death, or any other cause, then the secretary of state goes out with the governor.

Mr. JONES, of Somerset. Suppose a governor is elected for four years, and dies during the first year?

Mr. MILLER. Then the official term of that governor expires during that first year.

Mr. JONES, of Somerset. The term of office is fixed at four years; and four years is the official term. At least, I think it is open to very grave doubt.

Mr. SANDS. I think I can suggest an amendment which will meet the views of the gentleman from Somerset (Mr. Jones.) Insert after the words, "official term," the words "or the death, resignation, removal, or disqualification." It will then read:

"A secretary of state shall be appointed by the governor, by and with the advice and consent of the senate, who shall continue in office, unless sooner removed by the governor, till the end of the official term, or the death, resignation, removal, or disqualification of the governor from whom he received his appointment, and shall receive an annual salary of one thousand dollars."

Mr. JONES, of Somerset. Any amendment will suit that will remove the doubt.

Mr. SCOTT. The section now says the secretary of state "shall continue in office, unless sooner removed by the governor, till the end of the official term," &c. I think that fully meets the case.

Mr. THOMAS. I think this section is perfectly correct, with the exception that the words "unless sooner removed by the governor," should be after the words "from