

whom he received his appointment," near the close of the section.

Mr. EDELEN. That does not remove the objection, as stated by the gentleman from Somerset (Mr. Jones.) Suppose the governor goes out by resignation, or in any other way, and does not remove his secretary of state. Does he not continue in office?

Mr. STIRLING. The next governor that comes in can turn him out. The governor is the man who happens at any time to be governor. And whoever happens to be governor can turn out the secretary of state, and appoint a new one.

Mr. JONES, of Somerset. I will offer the amendment I suggested, and let the convention act upon it. I move to amend by striking out the words "till the end of the official term of," and insert the word "while;" and also insert after the word "appointment" the words "shall continue to act as governor." It will then read: "shall continue in office, unless sooner removed by the governor; while the governor from whom he received his appointment shall continue to act as governor."

Mr. STIRLING. That will create two vacancies in office instead of one. Whenever a vacancy occurs in the office of governor, that amendment would create a vacancy in the office of secretary of state. As the section now stands the next governor that comes in can always have his own secretary of state, by turning out the old one and appointing a new one. Besides you have already provided in this article that the secretary of state shall convene the legislature to take action upon the subject, if the vacancy in the office of governor cannot be filled under existing arrangements and provisions. The secretary of state is to have the custody of the great seal of the State. If this amendment is adopted, and the governor dies, then the secretary goes out of office, and the great seal of the State will be in the hands of no one.

Mr. JONES, of Somerset. There is force in the view presented by the gentleman from Baltimore city (Mr. Stirling;) and I will withdraw my amendment.

The amendment was accordingly withdrawn.

Mr. THOMAS. I will move an amendment; merely to transpose some words in the section as it now stands. I move to strike out the words "unless sooner removed by the governor," from where they now are, and insert them after the words "from whom he received his appointment."

The question being taken upon the amendment of Mr. THOMAS, it was rejected.

No further amendment was offered to this section.

The next section was then read as follows:

Sec. 24. He shall carefully keep and preserve a record of all official acts and proceedings which may at all times be inspected

by a committee of either branch of the legislature, and shall perform such other duties as may be prescribed by law, or as may properly belong to his office."

Mr. MILLER. On behalf of the committee on the executive department, I move to strike out the word "he" in the first line, and insert the words "the secretary of state." As this is an independent section, it may lead to some ambiguity if you say "he" instead of "secretary of state."

The question being taken upon the amendment, it was adopted.

Mr. MILLER. I have a further amendment to this section. It now reads, "and shall perform such other duties as may be prescribed by law." There are existing laws upon the subject, giving him the custody of the great seal of the State, and fixing certain duties that he shall perform. I move to insert after the word "as" the words "are now or," and after the word "may" the word "hereafter," so that it will read, "and shall perform such other duties as are now or may hereafter be prescribed by law."

The amendment was adopted.

On motion of Mr. THOMAS,

The report was further amended, by striking out the word "legislature" wherever it occurs, and inserting the words "general assembly."

The report as amended was then ordered to be engrossed for its third reading, and to be printed.

ORDER OF BUSINESS.

Mr. PUGH. I move that the convention now take up the report of the committee on the judiciary department.

Mr. KENNARD. The chairman of that committee (Mr. Stockbridge) is not here this morning. I think therefore we better pass over that report. There are other subjects which we can consider to-day.

Mr. PUGH. I will withdraw that motion, and move to take up the report of the committee on State's attorney.

Mr. THOMAS. That report has not been made yet.

Mr. PUGH. Then I will withdraw that motion.

ATTORNEY GENERAL AND STATE'S ATTORNEY.

Mr. SMITH, of Carroll. I am prepared to make the report from the committee on State's attorney. I will say that the committee are not unanimous in their report. But as the time of the convention is being rapidly consumed, they are willing to unite in submitting a report to the convention, reserving to themselves the right to offer any amendment they may deem proper. This report is signed by a majority of the committee, I presume if it is submitted now, it will not be deemed a discourtesy to the other members of the committee who are absent.