

proper person to fill said vacancy, unless such vacancy occurs within ten days before said final adjournment.

This section referred to in construing section 15—see notes thereto. *Harman v. Harwood*, 58 Md. 10.

See notes to sections 13 and 15.

Sec. 15. 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 appointment from the Executive for a term of years.

The Governor has no express or implied power to *suspend* police commissioners for Baltimore City pending the trial of charges against them of incompetency and misconduct; nor has the Governor the power to make a temporary appointment to the above office pending an investigation of charges. History of this section. *Cull v. Whittle*, 114 Md. 58.

County school commissioners are not "civil officers" within the meaning of this section or of section 13, and hence may not be removed by the Governor for incompetency or misconduct. *School Commissioners v. Goldsborough*, 90 Md. 193; *Sappington v. Slade*, 91 Md. 649.

The fact that most, if not all, of the officers provided for by the constitution may be removed under express authority given by the sections dealing with such offices, does not convert such offices from definite terms into terms held at the will of the appointing power; this section and section 13 are examples. The secretary of state is included in this section, and hence may only be removed for one of the causes herein set out unless possibly with the consent of the senate without cause. See notes to article 23, section 175, of the Annotated Code. *Townsend v. Kurtz*, 83 Md. 342.

The power of removal, given the Governor by this section, applies only to such offices as he has power to fill by original appointment for terms of years, and does not embrace justices of the peace. *Cantwell v. Owens*, 14 Md. 225 (based on the constitution of 1851).

Under this section, the Governor is authorized, for incompetency or misconduct, to remove a "registrar of voters for the fourth election district of Anne Arundel county," who was appointed by the Governor with the advice and consent of the senate. The term "executive" as used in this section, does not mean the Governor alone. *Harmon v. Harwood*, 58 Md. 10.

This section referred to in construing section 11—see notes thereto. *Watkins v. Watkins*, 2 Md. 355.

This section referred to in construing article 5, section 2, and article 4, section 11—see notes thereto. *Groome v. Gwinn*, 43 Md. 628.

See notes to article 9, section 2, and article 2, section 11.

As to the militia, see article 65 of the Annotated Code.

Sec. 16. The Governor shall 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. 17. To guard against hasty or partial legislation and encroachments of the Legislative Department upon the co-ordinate Executive and Judicial Departments, every Bill which shall have passed the House of Delegates, and the Senate shall, before it becomes a law, be presented to the Governor of the State; if he approve he shall sign it, but if not he shall return it with his objections to the House in which it originated, which House shall enter the objections at large on its Journal