

futurity and is afraid that the people will not select an efficient officer, but one that would be utterly inefficient to try a cause. He thinks the people cannot be trusted, and the Governor cannot be trusted, with the selection of an Attorney General; and at the same time he says the Governor will select able counsel, if he is deprived of an Attorney General.

I apprehend no such thing. On the contrary, I believe that if the people are called upon to select an Attorney General, they will select an efficient and able man. And therefore it is, I say, the gentleman's argument proves nothing, for it proves too much. I take the ground that it is demonstrated clearly and without the possibility of misrepresentation, that the Attorney General—the law officer of the State, represents the sovereignty of the State, and therefore when you attempt to strike down this officer, you aim a blow at the sovereign rights of the people. And when you do that, you commit a most serious offence, for there is a great distinction between reforming abuses and practicing innovation. I say that when you attempt to strike down that officer, you step on the ground of innovation, and there is no reform in that. I hold to the doctrine that if there be a necessity for counsel, it ought to receive the approval of the people themselves.

In conclusion, I repeat what I have before said, that I would allow the Attorney General a salary of fifteen hundred dollars a year, for his services within the limits of this State; but if the Governor chooses to send him beyond those limits, then I would be willing to leave it to the Governor, to judge of the discretion and propriety of saying what compensation should be allowed that officer, for extra services on account of being sent abroad. That is the position I take.

The gentleman from Anne Arundel, seems to think that the Attorney Generals of modern days are not equal in ability and talent to the Attorney Generals of olden times and of the old school. Sir, I do not think that all the wisdom and learning belong to former days, although I am proud to know that we have had so many brilliant judicial men, such as the Chief Justice of the United States, who was once Attorney General of Maryland. No, I do not believe that all the learning and talent belong to the men of other days. I believe there is to be found, in this State, counsel equal to any of former times. And there are men rising up every day, in different parts of the State, who would do honor to the station, and I do not believe that the office is to go a begging. I believe that if you adopt a wise provision in the Constitution, there will be no lack of able and highly competent men, ready and willing to accept the office of Attorney General of Maryland, and, therefore, it is, I am opposed to the amendment.

Mr. DORSEY said. A word in explanation of what I have already said, as to which there appears some misconception, though I think my remarks would be justified and correctly understood, without saying anything. I did not mean to say that there were not now distinguished and

able men at the bar of Maryland. I stated there were men in it, as able and distinguished as any in the United States, as lawyers. I have had an intimate acquaintance, for a great many years, with gentlemen of the bar, and I think I can say this with perfect safety, as distinguished and able men. There are men that, if my life depended upon it, I would unhesitatingly trust myself in their hands, but I do not say that such as are fit to be Attorney Generals, abound throughout the State. I said that of late years Attorney Generals were frequently appointed, not because they were the most able men in the State, in point of legal attainments, but from motives of political partiality or something of that description, upon no other principle, Mr. President, can I account for my elevation to that office, which I held for a few years, some thirty years ago.

As to the remarks made by the gentleman as to the high dignity of, and profound respect shown to the Attorney General, as representing the sovereignty of the State, and the importance thereof in the discharge of his official duties for the State. I would merely say that I have always regard substance more than form. I have ever considered that in a court of justice, the argument of any other lawyer has just as much weight in the decision of a cause, as the argument of the Attorney General himself. It will do well enough for gentlemen in this body, to talk about the dignity and sovereignty of the State, as represented in the Attorney General, and on southern principles and feelings to gratify our own conceits. But when you come to apply them to matters of litigation, they are wholly disregarded in the adjudications of courts of justice.

The idea, therefore, of the sovereignty of the State, being in the Attorney General, or its having an influence upon the rights of the State before a judicial tribunal, exists only in the imagination of a visionary dreamer. It deserves not the weight of a feather in this Convention.

Now, the gentleman from Queen Anne's, [Mr. Spencer,] asks me whether I think that, if it were left to the people to choose an Attorney General, they would not always make a good selection? That is not my opinion. But I say if the office is to be continued, I would leave it to the people as soon as I would leave it to the Governor—judging from the past. I would have much more confidence that abler men would be selected by the people than by the Governor. I believe it would be the pride of the people to have one of the most distinguished men in this State appointed Attorney General, and such a man would be voted for and elected, if his appointment was considered without reference to political party motives, or the interference and corrupting influence of electioneering politicians. I think the first lawyers in the State, if tendered to them by the people, without an effort on their part to obtain it, would accept the office.

I am, therefore, not liable to the insinuated charge, that I am against trusting the people. On the contrary, I am in favor of trusting the people