

I make no objection to this portion of the report. I sincerely hope it may work well. I cannot, however, concur with the committee in their views as set forth in the first section of this report. I would prefer continuing this office, and letting the Governor, with the advice and consent of the Senate, appoint the Attorney General, whose term of office should be the same as that of the Executive. By this arrangement I think much expense may be saved to the State, and the Governor relieved of much trouble and inconvenience. Having expressed my humble views, I now offer the following as a substitute for the first section :

"The Governor, with the advice and consent of the Senate, shall have power to appoint an Attorney General for the State, whose term of office shall be years; and it shall be the duty of said Attorney General to attend to all cases in which the State may be concerned, and the annual compensation to said officer shall be two thousand dollars, for services rendered within the limits of the State; it shall also be his duty to attend to any case beyond the limits of the State, whenever required so to do by the Governor, and for services performed out of this State, he shall receive such additional compensation as may be allowed by the Legislature at its first session after such services shall have been performed."

The question was then taken, and the substitute of Mr. WEEMS was rejected.

The question recurred on the substitute of Mr. McLANE.

Mr. CRISFIELD moved to amend said substitute by adding at the end thereof, the following :

"But no law shall be passed to establish the office of Attorney General."

Mr. C asked the yeas and nays on the amendment, which were ordered, and being taken, resulted as follows :

*Affirmative*—Messrs. Buchanan, President, *pro tem.*, Lee, Chambers of Kent, Donaldson, Dorsey, Brent of Charles, Jenifer, Bell, Welch, Dickinson, Sherwood of Talbot, Dashiell, Eccleston, Chambers of Cecil, McCullough, Miller, McLane, Wright, Dirickson, McMaster, Fooks, Shriver, Sappington, McHenry, Magraw, Nelson, Carter, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Schley, Fiery, Neill, John Newcomer, Harbine, Brewer, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Parke, and Cockey—45.

*Negative*—Messrs. Morgan, Wells, Sellman, Weems, Howard, Chandler, Crisfield, Williams, Hodson, Phelps, Bowie, Spencer, Kilgour and Shower—14.

So the amendment of Mr. CRISFIELD was agreed to.

The question then recurred on the adoption of the substitute of Mr. McLANE, as amended.

Mr. SHERWOOD, of Baltimore city. I have listened with great attention to this debate, Mr. President, and was in hopes that it would not be necessary to inflict any remarks of mine upon the patience of this Convention; but I find that I

must ask your indulgence for five minutes. However anxious gentlemen here may be to bring the labors of this body to a speedy close, allow me to say, that no member of it feels a greater interest in the progress of the public business than myself. The question now before us has been literally "talked to death." It has been so repeatedly altered and realtered, amended and re-amended, that notwithstanding all the rich displays of legal lore—notwithstanding the elaborate opinions expressed by gentlemen learned in the law, I cannot but come to the same conclusion that Benjamin Franklin came to when sitting by the side of Thomas Jefferson at the time of the adoption of the Declaration of Independence. The anecdote is historical, and no doubt familiar to all here—but, old and familiar as it may be, I shall here repeat it, as most applicable to the present condition of the business of the Convention. It is this: When the Declaration of Independence was under discussion, and Mr. Jefferson was writhing under the criticisms that were being made on some of its parts, Franklin, by way of consoling him, told the story of John Thomson, who was about to set up business for himself as a hatter, and who consulted his acquaintances on the important subject of his sign. The one he had proposed to himself was this: "John Thompson, hatter, makes and sells hats for ready money," with the sign of a hat. The first friend whose advice he asked, suggested that the word "hatter" was entirely superfluous; to which he readily agreeing, was struck out. The next remarked, that it was unnecessary to mention that he required "ready money" for his hats—few persons wishing credit for an article of no more cost than a hat, or if they did, he might sometimes find it advisable to give it. These words were accordingly struck out; and the sign then stood, "John Thomson makes and sells hats." A third friend who was consulted, observed, that when a man looked to buy a hat, he did not care who *made* it; on which two more words were stricken out. On showing to another the sign thus abridged to "John Thomson sells hats," he exclaimed, "why, who the devil will expect you to give them away?" On which cogent criticism, two more words were expunged; and nothing of the original sign was left but "John Thomson," with the sign of the hat.

Now, there has been a great consumption of time on this subject, and it does seem to me that it has already been decided by the vote just taken on the amendment of the gentleman from Charles, [Mr. Merrick,] that we shall have no Attorney General; and we seem to have done much the same thing as was done in regard to John Thompson's sign—struck out everything that has been presented for our consideration, and left nothing but a name and a sign! And yet my friend insists upon restoring that which has been stricken out, and thus revive an office which I think has been pronounced by the deliberate votes and determined action of this Convention, as useless and unnecessary—at least it has been so determined to my entire satisfaction.

I would not have attempted on this occasion,