

sel would demand a fee in every case adequate to his compensation, in the most protracted litigation that he could anticipate.

The question being taken upon the motion to reconsider, resulted—ayes 33, noes 35.

So the motion was rejected.

The second section was then read as follows:

Section 2. There shall be an Attorney for the State of Maryland, in each county, Howard District and the city of Baltimore, respectively, to be styled "The Prosecuting Attorney," who shall be elected by the plurality vote of the qualified voters of each county, Howard district, and the city of Baltimore; and who shall hold his office for three years, from the day of his election, and until his successor be elected and qualify; and shall be re-eligible thereto; and be subject to removal from office, for disqualification, wilful neglect of duty, or misdemeanor in office, by presentment of the grand jury, and conviction of a petit jury of the county, Howard district, or city of Baltimore, in which he shall have been elected.

On motion of Mr. SHRIVER, the words "Howard district," were stricken out wherever they occurred in the remainder of the bill.

On motion of Mr. CHAMBERS, of Kent, the section was further amended by striking out "prosecuting," and inserting "States" before "Attorney."

Mr. SHRIVER moved further to amend said section by inserting after the word "Attorney," in the third line the following:

"Who shall discharge in the several counties and the city of Baltimore, all the duties and exercise all the powers heretofore discharged or exercised by the Attorney General and his deputies; and it shall be the duty of the clerk of the court of Appeals and the Register of Chancery, whenever a case shall be brought into either of those courts, in which the State is a party, or have an interest, to notify the Governor thereof, to enable him to employ counsel to protect the interest of the State in said courts," &c.

Which was read.

Mr. DORSEY moved to amend said amendment by inserting after the word "shall," in the first line these words "as to all business originating in their respective counties."

Mr. D. suggested that it would be a great saving to the State, for each attorney to transact the business with which he was familiar. After he had prepared himself to argue a case in the county court, he would be prepared to argue it before the court of appeals. No compensation would therefore be required for these examination of the same case by another attorney.

Mr. SHRIVER proposed to leave it to the Governor, to make such a selection as he should think the interests of the State should require. He would therefore prefer the phraseology of the amendment as offered.

The question being stated,

No quorum voted.

Mr. SCHLEY suggested that the whole amendment should be offered as a separate section. If offered in its present shape, he should be compelled to vote against the amendment, to avoid com-

bering the section with matters which did not properly belong there.

The question being again stated,

No quorum voted.

Mr. DORSEY called for the yeas and nays.

Mr. SHRIVER, to avoid delay, accepted the amendment, as a modification of his own.

Mr. DORSEY moved further to amend the amendment, by inserting after the words "to enable him," the words "if he deem necessary."

Mr. SHRIVER accepted the amendment.

The question being then taken upon the amendment as modified.

It was agreed to.

On motion of Mr. DORSEY, the section was further amended by inserting after the words "court of chancery," the words "or register of the land office," by striking out "these" and inserting "said," and by inserting after the word "courts," the words "or offices."

On motion of Mr. SHRIVER, the section was further amended by striking out "who," and inserting the words "the said States Attorney."

Mr. JOHN NEWCOMER moved to strike out "three," and insert "four," in relation to the term of office.

Mr. SHRIVER stated that the term of three years was inserted, so that the Attorneys should serve for the same length of time with the sheriffs and might thus go in and out of office at the same time. He should prefer that term.

Mr. DORSEY was in favor of the amendment, because if the term was made so short the emoluments would not be a sufficient inducement to prevail upon competent men to accept the office. In the case of the Sheriff, a large emolument was expected. The present Attorney had had great difficulty in some of the counties, in finding suitable persons who would serve; and in some cases persons had been appointed who never would have been thought of, if the proper persons could be induced to accept. The compensation paid to the Attorneys was scarcely worth their attention.

Mr. SHRIVER would prefer two years to four. At the first election an incompetent man might be selected. The earlier the error could be rectified, the better it would be. If the officers proved competent, there would be no difficulty in re-electing him. He would prefer to have the term three years.

Mr. NEWCOMER stated that his object in moving to insert four years instead of three, was to have as few elections as possible. The Convention had determined upon biennial sessions. It would be necessary, unless some change was made, to have elections almost every year.

The question being taken upon the amendment,

It was agreed to;

Ayes 32, noes 20.

On motion of Mr. SMITH,

The section was further amended by striking out the word "disqualification," and inserting "incompetency."

The second section, as amended, was then adopted.

Mr. HOWARD said: