

guments for and against the claim. The Attorney General had been directed to superintend the interests of the State, and amongst the items reported in a document on our files, was one of fifteen hundred dollars paid to that officer by the State, in part for his services in resisting that claim before the arbitrators. Eminent counsel were engaged before them in sustaining the claim, and their laborious service is not denied. That they gave an award, in exact conformity to their honest judgment upon the proofs before them, has never been doubted, and he ventured to assert, never would be doubted, by any man acquainted with the deservedly high standing of those gentlemen. They were second to none in all the feelings of honor and integrity that could exempt men from the remotest suspicion of favoritism. Having then faithfully labored at the request of the State, and having concluded their labor, by an honest decision upon the matter submitted to them, it appeared to him as a necessary consequence, they were justly entitled to a fair compensation for their services. It was no answer to this claim to say that other proofs ought to have been laid before them, or other arguments, or other matter which might have altered the character of their award. This is no affair of the arbitrators—it was no part of their duty to hunt up proofs—their duty was to decide on such as were presented. Even if their opinion differed from those who were asked to make them just compensation, it would still not lessen the force of their claim to be remunerated for the money, time and labor expended for, and at the instance of the Legislature. These gentlemen were the last to make claim which was not sanctioned by every principle of law and equity. If, in a transaction like this, individuals had been substituted for the State, there could be no doubt of a right to recover upon a *quantum meruit* in a court of law.

Mr. CRISFIELD stated it to be his intention to sustain the amendment of the gentleman from Worcester, (Mr. Dirickson.) The power in the hands of the Legislature would be a check on the Governor. But he had not risen to speak on that point. What he desired to say, was in reference to the section itself, and the state of opinion in the Convention. The House had, by its vote which had been just taken, solemnly determined that there shall hereafter be no Attorney General.

Mr. PRESTMAN asked on what ground the gentleman from Somerset made such statement.

Mr. CRISFIELD replied that the gentleman from Frederick, (Mr. Shriver,) as well as himself, had proposed to the Convention that the vote on passing over the section should be considered as a test vote, and the House had determined as he had stated.

Mr. PRESTMAN insisted that the chairman of the Committee, (Mr. Shriver,) had no right to make such a proposition to the Convention.

Mr. SHRIVER said he took this question to be settled by the decision of the House.

Mr. JENIFER said he had not voted from such a consideration.

Mr. SHRIVER. The gentleman from Charles voted with the minority.

Mr. CRISFIELD resumed. However any particular gentleman may have understood the vote, the general understanding was, that there should be no Attorney General hereafter. He had so understood it, and he was at a loss to conceive the reason which induced the Convention to come to this conclusion. He wished it were otherwise. He thought the office of Attorney General one of great importance; indeed, his duties were indispensable. He was an officer of the law; his duties were defined by law; he was appointed by the Governor, by and with the advice of the Senate; and he was responsible to the laws and to the public for the faithful discharge of his duties. Vast and important interests were committed to his care; he represents the State in the courts of law, and prosecutes or defends all her interests, depending in the Courts. He is a conservator of the peace, and it is his business to see that the peace, government, and dignity of the State are not violated, and crimes do not go unpunished. He is the adviser of the Governor, of the Legislature, and of every executive officer; his opinion in the first instance, fixes the construction of all laws; ascertains the powers and duties of the different departments of the government; directs the proper mode of executing the laws, and what are the rights of the State. He is in fact, in some sort, a general director of the internal affairs of the State, and exercises a large influence over every department. He has also important and delicate duties to perform, growing out of the intercourse of this State with the other States of the Union; and in reference to rights conferred, and duties imposed on this State by the Constitution of the United States. He has also other duties deeply effecting the public interest. An officer who is thus appointed, and whose responsibility is thus fixed and determined by law, whose duties are so varied and so important, is to be dispensed with, and the office abolished. And what is proposed to be substituted in his place? Why it is proposed to authorize the Governor to employ such counsel, as in his judgment the public interest requires, and pay them according to his discretion, out of the contingent fund of the executive department. The number of counsel, who may be selected, is without limit. The Governor may employ one, or one hundred counsel. His discretion is the only limit. And the powers of the counsel is equally without limit. Their duties are wholly undefined. They are under no public responsibility. They are to be simply counsel—not even required to be lawyers—and it is not expressed on what subjects they are to give counsel, whether of a legal or political character. In the next section, Prosecuting Attorneys are provided for; and there is nothing in the section or the article under consideration, to prevent the Governor from assigning to the counsel to be selected by him, all the duties which the Prosecuting Attorneys are expected to perform.

Again, the compensation these counsel are to receive, is limited only by the extent of the contingent fund. The scheme would be greatly