

sure. But he was opposed to the creation of any more corporations.

GOVERNOR'S TERM OF OFFICE.

*Remarks of Mr. Grason, March 7, 1851.*

Mr. GRASON said the report of the committee was framed under the impression that the Convention would provide for annual sessions. But as biennial sessions had been determined, it was now necessary to make an alternation in the bill. It was of the utmost importance that the Governor should come into office, while the Legislature was in session; and, therefore, it was necessary to reduce his term to two years, or extend it to four. It was doubtful which term ought to be preferred. In two years, he would acquire the experience which would make his services more valuable, just at the time he was going out of office. On the other hand, by doubling the term, he might continue in power after he had lost the public confidence. He would move to strike out three, and insert the longest term, and if the blank were not filled with four, he should then move to fill it with two.

NOLLE PROSEQUI.

*Remarks of Mr. Tuck, March 12, 1851.*

Mr. TUCK. The power of granting *nolle prosequis* is an executive prerogative, and always exercised unless restrained by the Constitution. He was in favor of expressly recognising the power in Maryland. It had always been possessed by our Governors. That it had been abused, he did not deny. But all powers may be denied or restricted for this reason. The question is, on which side lies the greater chance of evil. Cases of hardship must occur. That of Bromwell had been referred to. Mr. T. was in the Legislature at that time, and being well acquainted with the facts, could speak with certainty. Very strong recommendations were presented to the Governor, predicated upon his age, his long confinement, which was impairing his health, and perhaps hastening his death, the condition and wants of his family, &c. The character of the offence was such, that the Governor thought he ought not to interfere. He had been in jail some eighteen months or two years awaiting his trial. His case had been removed to Harford county—many of the witnesses resided on the eastern shore. He had been carried to Bel-Air two or three times and demanded his trial. The State was never ready on account of the absence of witnesses. His health was failing and a physician had certified that his continued confinement might end in incurable disease, if not in death. His case was brought before the Legislature, and by an almost unanimous vote in both branches, a resolution was passed authorising the city court of Baltimore to discharge him on his own recognisance. The object was to let him go away. He did so, and I believe has never been here since. He thought this was a case for the exercise of such a power. He would, therefore, vote for its retention by the Governor. But he thought that it should be guarded, and would prepare and

offer, at a proper time, an amendment requiring that public notice should be given of the application, in order that the Governor might be better informed of the facts of the case than he could be by an *ex parte* application. To prevent injustice to the public, he thought the power could not be too carefully guarded against abuse.

SALARY OF THE GOVERNOR.

*Remarks of Mr. Dirickson, Thursday, March 13.*

MR. DIRICKSON moved the following as a substitute:

Sec. 21. The Governor shall be in attendance at the seat of government during the sessions of the legislature of the State, and shall receive for his services an annual salary of two thousand dollars.

Mr. DIRICKSON said that the substitute which he had just had the honor to submit, was in his humble judgment both eminently proper in itself and in entire harmony with that spirit of retrenchment and reform, which had breathed this very Convention into existence. He had hoped, nay believed, that it would have been received by all with a warm and cordial welcome, and at once promptly sanctioned by a most decided and unequivocal vote. Sir, all, or well nigh all, around me are professed reformers, and we here not only shad-dow forth the embodied sentiment of Maryland, upon the great elementary principles of government, but to apply ourselves earnestly, industriously, sternly if need be, to the abolition of old abuses, and to the entire obliteration of every custom and provision, organic or otherwise, which has been without benefit and without essential good—feeding with an insatiable appetite upon the common treasure gathered from the whole body politic. The time had arrived when we should lay aside the useless, worn out and cumbersome machinery of the past, and looking around upon this great confederacy, learn such lessons of political wisdom as will enable us to keep pace with the very foremost. Surely—surely whilst others are moving onward in every social improvement, we shall not be found wedded to our idols, standing still midway the glorious destiny that awaits us.

Tell me not then that the substitute now under consideration is a bold and reckless innovation, because forsooth it seeks to remove a restriction from the Constitution, which can no longer be sustained either by argument or the examples of other States. What was there so peculiar in the condition or extent of Maryland, to require that her chief executive officer should reside permanently and constantly at the seat of government, when so many of her sisters, with territory immensely larger, and with revenues scarcely smaller, had no such constitutional requirements, and yet were advancing in prosperity with a rapidity which we could scarcely realize. The general duties and obligations attached to the official position, were, if not precisely the same, with slight exceptions, very similar in every section of the Union, and if all could be discharged with propriety and alacrity elsewhere, why not with equal promptness and fidelity here? It was not