

clothed with that power in the different counties of the State. There was no stage from the very commencement of the issuing of the writ, to the close, that it was not the duty of the Attorney General to supervise the administration of justice in behalf of the State. Unless such an office should be continued, the administration of the law would inevitably suffer. The mere appointment of counsel by the Governor would not remedy the evil, because that counsel would not be clothed with these powers and duties.

As to the mode of appointment, he was indifferent about it. His own impression was that the Attorney General ought to be appointed by the Governor; that every Governor, at the commencement of his term of service, ought to have the right to select his Attorney General for the term of four years. He saw no necessity for throwing that officer before the people, although he had no great objection to it, and if it could be the will of the majority of the Convention that the Attorney General should be elected by the people, he would throw no impediment in the way of it. He should be in favor also of taking away from the Attorney General the power of selecting his deputies which seems so much to be objected to. But while he might consent to the election by the people, he believed it proper to have an eye to the interests of the various portions of the State. He was opposed to the election by the people by general ticket, because he believed that if appointed by general ticket, the city of Baltimore would elect the Attorney General to the end of time. He would prefer to have the State divided into districts, giving each district one term. Regarding the Attorney General as the confidential adviser of the Governor, it seemed to him more proper that he should be selected by the Governor. The selection of a new Governor every four years, would create such a rotation in the office of Attorney General as would satisfy the most ultra reformer in the State.

Mr. BRENT, of Baltimore city, said, Considerations of false delicacy shall not withhold the reasons for the vote which I am called on to give.

Before giving those reasons, I feel at liberty, with a view to correct erroneous impressions, some of which have appeared in the public prints, to refer to the causes which prevented me from resigning my seat in this Convention when I was honored with the commission of Attorney General.

It has been said, that as a member of the committee on credentials and qualifications, I reported against the competency of any person to sit in this Convention who held any office of profit under the State government. This is wholly untrue.

My report is on file, and will show that I admitted the competency of clerks, registers of wills, and all other State officers, except judges, to hold seats in this Convention.

Therefore, the retention of my seat in this Convention under present circumstances, is *not* inconsistent with my own report on credentials and qualifications.

By the advice of judicious friends, I was averse to troubling my constituents with a special election to fill my place if it could be avoided consistently with the public interests and my duty. Finding that my office could be conducted by deputy, according to law, I felt that the public interests would be perfectly safe when confided to the integrity and ability of the friend whom I have selected. So much for the charges against my inconsistency.

In voting upon the office which I now hold, I shall vote for three objects and for any measures which will effect those objects, viz :

*First*, I shall vote to supersede the present Attorney Generalship.

*Secondly*, To elect, by popular vote, the Prosecuting Attorneys for each county and the city of Baltimore.

*Thirdly*, To elect, by popular vote, throughout the State, an Attorney General, with a fixed salary, in order that while the local attorneys superintend the local business of the State, the Attorney General may superintend all matters of general interests, such as advising the Governor, arguing causes in the courts of appeals, &c.

These are the views which I have formed conscientiously, and I shall conscientiously endeavor to carry the mout by my votes.

Mr. SPENCER regretted that he could not support the amendment offered by the gentleman from Cecil. He was apprehensive it would bring upon the State innumerable evils.

That gentleman had looked back to the very alarming expenditures in extra compensation paid to Attorney General and special counsels, employed in a variety of cases in which the State of Maryland was interested. By adopting this proposition, he feared the door would be opened for a scene of corruption in the legislature, to be avoided at all times.

If it was the intention of the Convention to abolish the office of Attorney General, something fixed and precise ought to be adopted as the course to be pursued hereafter. He should in that case, infinitely prefer the section reported by the committee, to the proposition of the gentleman from Cecil. He would prefer, if the office of Attorney General should be abolished, that the Governor, under his high responsibility should have the power of employing special counsel, and of regulating and controlling the fees, rather than that it should be thrown before the legislature. If the proposition of the gentleman from Cecil should be adopted, the legislature must do one of two things—either pass a law authorizing the Governor to do the very thing which this section now authorised him to do—or refuse to pass such a law and compel the Governor in each particular case in which he shall have occasion to employ counsel, to leave to them the right to adjudge the fees to be paid. In the latter case, who would be willing to be employed to transact any important business, with an uncertainty as to the fee to be allowed by the legislature? There would be counsel willing to go before the legislature by their friends, and by appeals and other inducements, expect to induce the legislature to pay a large fee.