

lawyers were appointed, who were required to hear the case and to make an award thereon—they entered upon the discharge of their duties, the claimants appeared by counsel, and the State was represented by the Attorney General and after a laborious investigation of some month or more a full hearing of argument upon both sides, they made their award, and up to this day although these commissioners have knocked at the doors of the legislature for a just compensation for the services which, by law, they had imposed upon them, not one dollar have they received.

Now, he would ask the gentleman from Cecil, if that was a proper body to adjust the claims of lawyers, who might be sent to prosecute a case in any State or before the Supreme Court of the United States? He must say that in his opinion he thought it was not. He meant no disrespect to the Legislature, but the duties of an Attorney and the impossibility of having correct information before them in reference to those duties, made them not the proper sources to apply to for compensation. He also objected to the Governor having an unlimited use of the funds of the State for that purpose—and was in favor of making this an office under the Constitution with a fixed salary, that the Legislature might know, that the people might know, what amount the Attorney received for his services.

Again, it had been said by the gentleman from Cecil [Mr. McLane,] that we should not make the Government we were about to frame more expensive by affixing a salary to the office by Attorney General; that such a salary was unknown to the existing Constitution. Was such an argument sound on the score of economy? In that view it made no difference whether the money was taken from the Treasury of the State by constitutional provision or by appropriation of law, if the amount for the same services appropriated by law was equal to the amount fixed by the Constitution. If the Governor had heretofore paid Attorneys nothing, if the Legislature had paid them nothing, if unlike all past experience in the Government of the State, their services could be dispensed with, then the gentleman's argument was correct. But what are the facts? Gentlemen have now upon their desks a statement of moneys paid to Attorneys for the last twelve years, amounting in the aggregate to twenty-one thousand dollars and upwards, and if, as is proposed under this bill, the opinions required by the various Governors during that time, and which were furnished free of charge by the Attorney General had been paid for, this sum would possibly have been doubled—so that the system itself is infinitely more expensive in its demands upon the Treasury than the one contended for by him, (Mr. M.,) for it is admitted on all sides that these Attorneys will be required and that they must be paid in some manner—no one has intimated that they could be dispensed with.

But, (said Mr. M.,) we should have an Attorney General, for the very reason which the gentleman from Cecil gives that we should not—that of economy. Without paying for any advice

during the last twelve years given to the Governors by the Attorney General, it has cost the State, as he before said, upwards of twenty thousand dollars in fees for the legal profession, it is fair to assume that the average cost will be the same hereafter. To this sum you must add similar fees for every opinion required by the Governor in the execution of every law upon which he has a doubt, the aggregate of which would be larger than a salary per annum, that would command the best legal talent of the State. He contended, therefore, that in the practical operation of the government, it was not subject to the objection of being more expensive, but would be a saving to the treasury—would inform the people how and in what manner their money was drawn from it, and divest the Legislature and the Governor, of the power to reward or disallow, at the public expense, the claims of either friend or foe.

The gentleman from Cecil had asked, what salary should be given this officer? He seemed to think that such talent could not be obtained as should be, for the salary proposed. He would undertake to say that for two thousand dollars, or for twenty-eight hundred dollars, the services of the most able men could be procured. It was a duty not at all inconsistent with the business of any lawyer, and one which would, by no means, occupy his time to the neglect of other professional duties; but would he cavil upon a grave constitutional question, about one or two hundred dollars in the salary of an officer? He thought not. It was argued that the Governor must necessarily employ the services of deputy attorneys, and that he could require their opinions when advice was needed. Could gentlemen be serious, when addressing this argument in the hearing of this Convention? Were these deputies so skilled, so eminent, so profound, that no doubt has occurred to the mind of any one as to their capacity to give advice to the chief officer of your State, in the discharge of his high, difficult and important duties? Next fall each county in the State and Baltimore city, will elect an officer of this description, not one of whom the Governor would possibly place the value of an iota upon his opinion, and yet you would make them his advisers in your organic law. And thus you would deprive the Governor of any efficient counsel, so that if he should not be a lawyer himself, he could not with any confidence in his course, know what course to pursue upon all cases of doubtful action. The result would be that the people of Maryland, would have to select, for their Governors none but lawyers, as no other class could bring the learning you require to a discharge of the duties of Governor. This, to his mind, was an objection which gentleman had not and could not answer.

Under the existing laws of the State, there was an Attorney General. The amount of fees paid to this officer for the last two or three years was excessive to which the gentleman from Cecil had objected. That gentleman had argued as if the present laws were to continue in force hereafter. And had brought to bear all the evils of the old system, to defeat the one proposed in the