

for some of the other propositions which may be submitted. Some gentlemen desire to have a salaried officer; but how much they would give him no one has said. If it shall be proposed that he shall have fixed salary, and shall perform all the duties which the State shall require of him, then we shall understand it.

It seems to me, sir, that all the propositions which have been made resolve themselves under two general heads. Will the service of the public be better done, and will it be cheaper done, under the system proposed in the report of the gentleman from Frederick, (Mr. Shriver,) than under the amendment of the gentleman from Cecil? I think not. I think nothing will be gained by the adoption of this section as reported by the gentleman from Frederick. Shall we have an Attorney General? And if so, ought he to be appointed by the Governor, or shall he be elected by the people? I believe that the idea that he should be elected by the people is the most objectionable, and if we are to vest the appointment in the Governor, it will be just as safe to trust him, without the appointment of an Attorney General, with a discretion to employ counsel when required on behalf of the State, out of the profession at large.

The gentleman from Charles, (Mr. Jenifer,) has referred to a record which shows that when the Governor requires legal services in any particular locality, he will take his counsel from that locality. And this is much the best way. Why should he send the Attorney General all over the State, when the best counsel perhaps in the State may be on the very spot, at their own residence there? I would therefore give the Governor the power to select counsel at his discretion. And I believe this will be a cheaper mode than the employment of an Attorney General.

Unless [Mr. H. continued,] we tie up the Legislature from giving compensation to counsel, that body can most properly determine the amount of the fee in proportion to the character of the case. He saw there had been cases in which extra fees had been allowed. He referred to the employment of the Attorney General in Pennsylvania, when he had to take three trips to that State.— And he asked how we could send the Attorney General out of the State, and yet tell him that we would hold him to his salary, and would make him no extra allowance. This could not be done; and the consequence would be that cases of application for additional compensation, would be every session before the Legislature.

Mr. SPENCER rose for explanation. He stated that he had said, in reply to the gentleman from Cecil, (Mr. McLane,) who suggested that we could not get an Attorney General competent to perform the duties of the office for two thousand dollars, or even twenty-five hundred dollars, that a competent Attorney General might be obtained for two thousand dollars, and perhaps for fifteen hundred dollars. He said that if the Attorney General was only required to give his opinions at home, and to try cases within the State, he believed an efficient and able one could be had for fifteen hundred dollars.

Mr. HOWARD, in reply, said that if an Attorney General agreed to take the office for fifteen hundred dollars, he would come to the Legislature for additional compensation. It was impossible that we could get a competent man to go over the State, and to argue cases in the Supreme court of the United States, where it was not unusual to pay a thousand dollars for an argument on any such terms. He regarded it as the most unreasonable proposition that could be advanced.

He believed the business of the State could neither be more cheaply nor better performed by an Attorney General. If we have such an officer, his salary will go on, whether he is employed or not. But in the way now proposed, the counsel in the service of the State would only be employed, when their services were wanted, and would only be paid when employed. Thus the State would be put to no expense beyond what the necessity of the case required.

Mr. DORSEY rose and said:

He was desirous to make some response to the remarks which had been made by the gentleman from Queen Anne's. Any one who should read the debates, would be led to suppose from the character of those remarks, that he, (Mr. D.,) had been making a wanton attack on persons for whom he felt the most sincere respect. Certainly it had been very far from his intention to say a word which could leave an unfavorable impression concerning them.

Mr. SPENCER here explained that he had expressly stated that nothing, he was aware, which had been said by the gentleman from Anne Arundel, was intended to have a personal bearing; but that, as the gentleman had said, that the contractors had no claim against the State, that declaration was calculated to prejudice the claim in public opinion.

Mr. DORSEY said:

He did not refer to that part of the gentleman's remarks only, but to what he had said in reference to the court of appeals. The observations, which he, (Mr. D.,) had made, were not intended to prejudice the claim, but were in reply to what had fallen from the gentleman from Baltimore city, (Mr. Gwinn,) who had referred to this matter to show that the legislature was either not competent, or not to be trusted to settle the amount of compensation to be allowed for legal services rendered. The gentleman seemed to think it so just a cause of complaint against the legislature, that they had not paid the gentlemen employed in this case, that they ought not to be trusted to fix the compensation for legal services. He understood the gentleman from Baltimore city, to say that the legislature had refused to make any compensation to the gentlemen employed, for their services.

Mr. GWINN replied that the application was unfavorably reported on by the committee.— Whether it was acted on by the House, he did not know. If it was, it must have been on the last day of the session.

Mr. DORSEY said he had necessarily assumed, from the previous remarks of the gentleman, that the Legislature had rejected the claim; and