

of the order, and having been taken, it was decided in the affirmative—ayes 36, noes 23.

So the order was adopted.

THE ATTORNEY GENERAL AND HIS DEPUTIES.

On motion of Mr. GWINN,

The Convention resumed the consideration of the unfinished business of yesterday, being the report heretofore made by Mr. SHRIVER, from the committee on the Attorney General and his deputies.

The question pending before the Convention on yesterday, being on the adoption of the substitute as offered by Mr. McLANE, and amended on the motion of Mr. CRISFIELD, for the first section of the report.

Mr. DIRICKSON remarked that he wished in the first place to abolish the office of Attorney General. He then wished the Governor to have the power to employ counsel to attend to the interests of the State, under certain regulations, to be prescribed by the Legislature. He wished the Legislature, and not the Governor, to fix the compensation. He wished the Legislature not only to specify the mode and manner in which counsel should be employed, but the amount of compensation which should be paid therefor. He would suggest as the gentleman from Cecil, was willing to adopt this amendment, and permit him to accept the substitute, that it would save one vote to take that course.

Mr. JENIFER called attention to the fact that the amendment of the gentleman from Worcester, (Mr. Dirickson,) had already been adopted. He could not, therefore, accept a substitute, moved by the gentleman from Cecil, (Mr. McLane.)

Mr. McLANE understood the proposition of the gentleman from Worcester, to be merely to transpose the order in which the section now stood. He had at first moved to insert the words:

“For whose services such compensation shall be made as the Legislature may allow.”

He, (Mr. D.,) had then modified the amendment by inserting the word “thereafter,” before the word “allow,” and in that form the House had adopted it. He now wished that amendment to come in at the end of the amendment offered subsequently by himself, (Mr. McLane.) The gentleman from Somerset moved an amendment, which was also adopted. The object now was to have the whole read in the following order:

“In cases required by the public interest, the Governor shall have power to employ counsel under such regulations as the Legislature shall prescribe, for whose services such compensation shall be made as the Legislature may thereafter allow; but no law shall be passed to establish the office of Attorney General.”

He, (Mr. McL.,) did not suppose this would be inconsistent with his own object, which was to allow the Governor under regulations prescribed by the Legislature to employ counsel, and that the Legislature should pay the counsel.

Mr. DIRICKSON inquired whether it would be in order to move to amend the substitute of the gentleman from Cecil.

The PRESIDENT, *pro tem.*, (Mr. Biser,) replied, that the amendment would be in order.

Mr. DIRICKSON moved to amend said section by inserting between the word “prescribe,” and “but,” the following:

“Whose compensation and mode of payment shall be made as the Legislature may thereafter direct.”

Mr. SPENCER said:

It was not his intention to discuss further the subject of an Attorney General, for he considered that question settled in the Convention. But in order to place himself right upon the question before the people of the State, he desired to advert to one or two facts not in his possession on yesterday.

Since the debate upon yesterday, he had inquired of the late Secretary of State as to the necessity on the part of the Governor in taking council in cases where the Governor pays no extra fees; and he had been informed by that officer that the Governor of Maryland frequently required the advice of the law officer of the State, and that the advice thus furnished was not paid for as extra compensation. It would be necessary, therefore, for the Governor to select a particular lawyer, and for fees to be paid for every piece of advice.

In addition to this, he had addressed a letter to the Treasurer upon the subject, requesting him to furnish him with the facts of the case to be laid before the Convention. The reply was as follows:

TREASURY, ANNAPOLIS,

March 20, 1851.

DEAR SIR: In reply to your note of this morning, I inform you, that whenever any doubt respecting the construction of an act of the legislature exists in my own mind, or a difference in construction between parties affected by the acts of legislature and myself occurs, and whenever any important instrument of writing is to be prepared, in which the State is a party, I refer for advice to the Attorney General.

You will thus perceive that in some years, I have occasion to consult him several times, in others not at all, except to adjust the accounts of the Sheriff of Baltimore city, which he always does.

He also approves of all bonds required from agents of foreign corporations, and some others holding appointments in Baltimore. It is certainly important the the Treasurer should have some competent and responsible legal officer to whom to refer the settlement of questions of law.

Very respectfully yours,

D. CLAUDE, Treasurer.

HON. W. A. SPENCER, Mem. of Con.

Mr. McLANE said:

That in a few minutes he could answer conclusively every thing that had just been advanced. The gentleman was mistaken from beginning to end. But as a resolution had been adopted to terminate the debate at two o'clock, and as this question had been concluded yesterday, he did not feel at liberty to reply.