

duties on the attorney general with respect to civil and criminal cases and with respect to other matters.

Now, you will recall the Committee was split right down the middle by an eleven to nine vote for some period of time, but I think that what we have reported now really represents a concensus of the two opposing groups on the Committee, and I certainly urge that this amendment be defeated and that the Committee of the Whole adopt the Committee recommendation.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

*(There was no response.)*

Does any other delegate desire to speak in opposition? Delegate Dorsey.

DELEGATE DORSEY: Mr. President, I want to eat Christmas dinner at Leonardtown. For three months, now, the Executive Committee has had the attorney general report before them. As Chairman Morgan has indicated, there has been almost an even split in the views of the Committee, but after the Convention of the Whole voted to retain the attorney generalship as a constitutional office, the language expressed in this report represents a compromise between all parties. It was adopted unanimously by the Committee and, I might add, Judge Hammond, Chief Judge in the Court of Appeals, who was one of Maryland's outstanding attorney generals, conferred with several members of the Committee and said that he could be quoted publicly that if the office was to be retained and given constitutional status that certain duties should be spelled out in the report of the Committee.

The Committee followed that advice, and I ask this Committee of the Whole to follow the advice of the Chief Judge of the Court of Appeals of Maryland and the unanimous agreement of the Executive Committee.

I might say to Delegate Gallagher that this Committee of the Whole followed his report in substance, and we ask you to follow the report of the Executive Committee.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment? Delegate Boyce.

DELEGATE BOYCE: I hate to disagree with the distinguished gentleman from Southern Maryland, who was rather vocal this morning, and I, too, hope he gets to Leonardtown for Christmas lunch.

But the honest truth of this matter is that in this Committee, as such, there was no vote taken on this. What the Chairman asked us was would we agree, if we thought this was satisfactory after it had been rewritten about a dozen times.

DELEGATE DORSEY: Would the gentleman yield?

THE CHAIRMAN: Just a second, Delegate Dorsey. Do you yield for a question, Delegate Boyce?

DELEGATE BOYCE: Let me yield, first.

THE CHAIRMAN: Go ahead, Delegate Dorsey.

DELEGATE DORSEY: Did you dissent?

THE CHAIRMAN: Delegate Boyce.

DELEGATE BOYCE: Let me answer that; I said perfectly clearly and I will say again that I personally told the Chairman if he could get something to bring up here on the floor, that was perfectly satisfactory by me, but I intend to vote against the Committee Recommendation. I intend to vote for Delegate Gallagher's report because I felt all along the Judge had no business telling this Committee how to write it and that the attorney general had no business having his own man sit in the Committee and actually try to draft it. I found one delegate, whom I respect greatly, back in the coffee shop during the Committee hearing and I asked, "For heaven's sake, what are you doing here?"

He said that there was no point in his being in the room if the Attorney General and City Solicitor of Baltimore City were going to write the report.

I think we ought to be perfectly clear that there was not a vote taken in that Committee on this question. There was never a vote taken.

Secondly, I do not think any commitment, as far as bringing something on the floor, is necessary to have a vote on the floor, and therefore I shall vote for the Gallagher amendment when it is brought forward.

THE CHAIRMAN: Delegate Henderson.

DELEGATE HENDERSON: Mr. Chairman, I should like to address my remarks not to what happened in any Committee or did not happen, but to the merits of this controversy.

As most of you know, I spent ten and a half years of my life in the attorney general's office during which time I at one time or another gave advice to every department agency of the State of Maryland,