

and shall have, take and receive, the same fees as the attorney general, and his deputies, are now authorised by law to take and receive. And be it enacted, That the governor and council, whenever they shall consider the interest of the state requires it, may call on the attorney general to aid any district attorney in prosecuting or defending any suit or action brought by or against the state, in any county court, or Baltimore city court, and it shall and may be lawful for the governor and council to allow to the attorney general, or to any district attorney, such reasonable fee or reward for prosecuting or defending any civil suit or action, to which the state may be a party or interested therein, as they may think right. And be it enacted, That the attorney general, and each and every district attorney appointed and commissioned in virtue of this act, shall hold his commission during good behaviour, but may be removed by the governor upon the address of the general assembly of Maryland. And be it enacted, That nothing herein contained shall be construed to authorise or empower the district attorney to be commissioned for the judicial district, within which Baltimore city court is held, to have, use, exercise or perform, any power or authority as district attorney in Baltimore city court. And be it enacted, That nothing herein contained shall be construed to preclude the attorney general from being also appointed and commissioned a district attorney, and in case the attorney general is or shall be appointed a district attorney he shall be styled attorney general of Maryland, and district attorney of the district of which he shall be appointed district attorney, and shall hold, use and exercise, both appointments, any thing herein contained to the contrary notwithstanding?" Determined in the negative.

On motion by Mr. Kell, the question was put, That the words "except in the appointment of deputies which shall be made by the executive," be inserted after the word "cases" in the 11th line of the 1st section? Determined in the negative.

On motion by Mr. Harrison, the question was put, That the following words in the 6th section be stricken out, viz. "and it shall and may be lawful for the governor and council to allow to the attorney general, or to any district attorney, such reasonable fee or reward for prosecuting or defending any civil suit or action, to which the state may be a party, or interested therein, as they may think right." The yeas and nays being required appeared as follow:

AFFIRMATIVE.					
C Stewart	Showers	Stevens	Hawkins	Davis	Yates
T H Dorsey	Snowden	Stephen	Bradford	Holbrook	Schnebly
R Dorsey	Johnson	Harrison	Steel	Saulsbury	Kennedy
Price	Martin	W R Stewart	Woodyear	Sweitzer	23
NEGATIVE.					
Mr. Speaker	Hynson	Carroll	Pearce	Claggett	Gaither
Jones	Weems	Murray	Tyson	Wilson	Washington
Causin	Turner	Lecompte	Thomas	Henry	Linthicum
Blakistone	Brawner	Griffith	Beard	Tingle	Tomlinson
Knight	Garner	Pitt	Digges	Kell	Tidball
Eccleston	Jenifer	Keene	Somerville		34

So it was determined in the negative.

On motion by Mr. Kell, the question was put, That the words "each and every district attorney," in the 1st line of the 7th section be stricken out, and that the following words be inserted at the end of the said section: "and every district attorney shall hold his commission during the pleasure of the executive?" The yeas and nays being required appeared as follow:

AFFIRMATIVE.					
C Stewart	Showers	Pearce	W R Stewart	Davis	Sweitzer
T. H Dorsey	Snowden	Beard	Hawkins	Saulsbury	Yates
R Dorsey	Johnson	Stephen	Buckey	Kell	Schnebly
Price	Stevens	Harrison	Bradford	Woodyear	Kennedy
NEGATIVE.					
Mr. Speaker	Neale	Jenifer	Pitt	Claggett	Washington
Jones	Hynson	Martin	Keene	Wilson	Forrest
Causin	Weems	Carroll	Tyson	Henry	Linthicum
Blakistone	Turner	Murray	Thomas	Tingle	Tomlinson
Knight	Brawner	Lecompte	Digges	Gaither	Tidball
Eccleston	Garner	Griffith	Somerville		34

So it was determined in the negative.

Mr. Woodyear moved to amend the bill by inserting after the word "empower" in the 2d line of the 8th section the following words: "the attorney general or any district attorney to substitute any person to perform the duties enjoined on him by this act nor."

On motion by Mr. Forrest, the said amendment was amended by inserting after the word "act" the words "without the approbation of the court in which such substitution shall be made, and such substitution shall continue only during the term at which it was made."

The question was then put, That the house adopt the amendment as amended? Resolved in the affirmative.

On motion by Mr. Kell, the words "or attorney for the city of Baltimore" were inserted after the word "attorney" first mentioned in the 3d line of the 9th section.

On motion by Mr. Kell, the words "or attorney for the city of Baltimore" were inserted after the word "attorney" first mentioned in the first line of the 4th page.

On motion by Mr. Kell, the words "or of the city of Baltimore as the case may be," were inserted after the word "attorney" in the 2d line of the 4th page.

On motion by Mr. Washington, the question was put, That the 9th section of the bill be stricken out? Determined in the negative.

The bill having been read throughout and amended, the question was put, Shall the said bill pass? The yeas and nays being required appeared as follow:

AFFIRMATIVE.					
Mr Speaker	Neale	Carroll	Keene	Claggett	Washington
Jones	Weems	Murray	Pearce	Wilson	Forrest
Causin	Turner	Haynie	Tyson	Henry	Linthicum
Blakistone	Brawner	Lecompte	Thomas	Tingle	Tomlinson