

more expensive than the present system. In addition to the fees provided by law for the Attorney General, there have been paid large sums to that officer, and others, for services which are not embraced within the range of his regular duties. Mr. C. read a report from the treasurer, from which it appeared there had been paid for legal services in the last thirteen years, in addition to the fees provided by law, the sum of \$22,948. If the measure now in consideration should be adopted, who doubts that the expense would be greatly increased.

Mr. C. said he would continue the office, but not on the present footing. He would appoint the Attorney General as he is now appointed, but his term should be limited to four years, which is the duration of the Governor's term. He should be appointed by the Governor, because intimate official relations which must exist between the Governor and his legal adviser, requires that they should be personally agreeable to each other, and that entire confidence should prevail between them. The public service require this. He also desired to see the Attorney General deprived of all patronage. He should not have, as he now has, the power of appointing deputies in every county of the State. He should also receive a compensation from the Treasury fixed by law. Thus restricted, he desired the office of Attorney General to be continued, for the reasons already intimated.

While he was up, he would add that the entire article under consideration, was vague and uncertain, in all its provisions. There were no duties assigned to the Prosecuting Attorneys—no restrictions—no responsibilities imposed upon them. What were they to do? What were they not to do? There was nothing definite—nothing certain—there were no duties—no restraints prescribed. The article as reported, was unmeaning, and ought not to pass. Mr. C. said he could not vote for it.

Mr. GWINN said that the main question now presented by the report of the committee, on the office of the Attorney General and his deputies, and by the amendments offered thereto, was, as to the necessity for an Attorney General. By one clause of the system proposed (and in this, at least, all appear to agree,) the deputies are to be elected by the voters of their respective counties, and of the city of Baltimore. These officers are entrusted with the duty of prosecuting in all criminal cases, arising in the State of Maryland, and, if they are competent, the interests of the commonwealth, within their districts, can be attended to without the assistance of any general officer. Their *incompetency* cannot be presumed, because they will be elected by the people, who are most deeply interested in preserving the peace and good order of the State.

Much has been said concerning the necessity of having some adviser to the State, to overlook its interests. But it is well to consider what these interests are, in order to a better understanding of this alleged necessity. There certainly are many occasions in which Executive officers require advice. But where they have a local character only, they ought properly to ad-

dress themselves to the person acting for the State within their county, who is bound to render this service.

If any question arise, affecting the State at large, whether it be a construction of a tax law, or of an act of assembly, involving any of the duties of the Executive, or in any question of a similar nature on which the General Assembly desire information, it is certainly proper that the State should have a conscientious adviser, upon whose judgment the Governor or the legislature can rely.

Where is the responsibility for the determination they may adopt? On the Executive, or on the legislature only. When they ask advice, they are bound in their own justification, to obtain the best counsel the learning of the State can afford. If they act upon improper, or insufficient advice, they will not be sheltered from censure, because it *was advice*, and this necessity of choosing will impose a wholesome restraint.

The rule will work another advantage. It will place responsibility where it properly belongs—upon the Executive, and upon the Legislature—and not upon the Attorney General. As to the compensation, it might be observed, that the Governor seemed to be the fittest person to make the compensation which any one acting for the State should receive. There were difficulties in the way of leaving the subject to the Legislature. It is never in a situation to estimate, with the same certainty, as the Executive, the value of the labor which has been performed.

Mr. McLANE submitted some remarks, which will be published hereafter.

Mr. PRESSMAN also made a few remarks, which will be published hereafter.

Mr. JENIFER gave notice that at the proper time he should offer the following, as a substitute for the first section of said report:

“There shall be an Attorney General appointed by the Governor, by and with the advice and consent of the Senate, whose term of office shall expire with that of the Governor, and whose duty and compensation shall be regulated by law.”

And then, pending the question on the amendment offered by Mr. DIRICKSON,

The Convention adjourned until to-morrow morning at ten o'clock.

ERRATUM.—In the inaugural address of Mr. Buchanan, Tuesday, March 15th, the words “unexpected by me,” should read “anticipated by me.”

DEFERRED DEBATE.

POWER OF APPROPRIATION.

Remarks of Mr. GRASON, March 5, 1851, in reply to Mr. CONSTABLE.

Mr. GRASON wished, he said, to make a brief reply to the gentleman from Cecil. The first objection of the gentleman was as to the original proposition of his friend and colleague, (Mr. George.) He, (Mr. G.,) thought, that in connection with the provision of a two-thirds ma-