

Nays—Messrs. Abbott, Annan, Cunningham, Daniel, Earle, Ecker, Galloway, Hebb, Hopkins, Hopper, King, Larsh, Mayhugh, McComas, Negley, Parnell, Ridgely, Robinette, Schley, Schlosser, Smith, of Carroll, Stockbridge, Swope, Wooden—24.

The convention accordingly adjourned until Monday next at 12 o'clock.

SEVENTY-EIGHTH DAY.

MONDAY, August 22, 1864.

The convention met at 12 o'clock, M. Mr. Poon in the chair.

Prayer by Rev. Mr. Owen.

The roll was called, and the following members answered to their names:

Messrs. Abbott, Audoun, Berry, of Prince George's, Billingsley, Brooks, Brown, Carter, Chambers, Clarke, Crawford, Cunningham, Cushing, Daniel, Dent, Duvall, Earle, Ecker, Gale, Galloway, Harwood, Hebb, Hodson, Hollyday, Hopkins, Horsey, Jones, of Somerset, Keefer, King, Larsh, Lee, Mayhugh, Miller, Murray, Nyman, Parker, Parran, Pugh, Puruell, Robinette, Russell, Sands, Schley, Schlosser, Smith, of Carroll, Smith, of Worcester, Snary, Stirling, Stockbridge, Swope, Thomas, Thruston, Vulliant, Wickard, Wooden—54.

The journal of Friday last was read and approved.

ATTORNEY GENERAL.

The convention resumed the consideration of the unfinished business of Friday last, being the report of the committee on State's attorneys, which was on its second reading.

The fifth section, in relation to the attorney general, was under consideration, having been amended to read as follows:

"In case of vacancy in the office of attorney general, occasioned by death, resignation, or his removal from the State, or his conviction as hereinbefore specified, the said vacancy shall be filled by the governor for the residue of the term thus made vacant."

Mr. CHAMBERS. I move to amend this section by striking out the words "for the residue of the term thus made vacant." I hope to see a provision incorporated in this constitution that wherever an election takes place to fill an office, the whole term of which has not been occupied by the party first elected, that election shall be for the full term provided for the office. A man who is elected to an office for a number of years, may quit it just a short time before the election. He may have served within a short period of the whole term. As the provision now stands an officer is to be elected for the balance of the term, and then at the next election the office is to be again filled by a new election. Now, I hold that we are

just as competent to elect an officer for the full term at one time as the other. I suppose nobody wishes to have a repetition of elections for the same office, short of the time for which the office was originally intended to extend. I therefore move to strike out the words "for the residue of the term thus made vacant." That will leave the general provision requiring an election to fill the office for the full term.

Mr. SMITH, of Carroll. One objection to the amendment of the gentleman from Kent (Mr. Chambers) is that it destroys the uniformity established in regard to other officers. A similar provision to the one inserted here has been adopted in regard to other officers, and I do not see any reason why it should not be retained here.

Another objection to the amendment is that it prevents the term of office of the attorney general corresponding with that of the governor. As they are in confidential relations to each other, I think they should hold office for the same time, and go out together.

Mr. CHAMBERS. It is undoubtedly true that by having the elections at one time, the terms would be the same, so far as depends upon the officers immediately elected. But I would be pleased to hear what advantage there is in that. One may die at the expiration of the first year, and his successor will be appointed for the balance of the term. The other officer may die at the expiration of the second year. Now, according to my amendment, whether his successor is appointed or elected, he will hold for a full term. I see no advantage in their holding for the same terms. What advantage or benefit can accrue to a man in Carroll county because he may be elected to an office on the same day, on which a citizen of Kent county may be elected to another office? It does not affect his office at all. The attorney general is a man by himself. I admit the fact that if my amendment prevails the terms of the attorney general and of the governor may be different. But I see no good consequences to result from a different state of things. Will the gentleman enlighten us upon that subject? I see no advantage to result to a person holding the office of State's attorney, or judge, or anything else, you please, in one part of the State, whether or not he holds his office at the same time, for the same term, and goes out on the same day with some other officer in some other part of the State.

Mr. STOCKBRIDGE. The section has been already amended by providing that the governor shall fill the vacancy for the residue of the term; thus requiring but one election for each term.

Mr. CHAMBERS. I was not aware of that. I only desire that when an election takes place, it shall be for the full term. I will withdraw my amendment.