Executive Department
Annapolis
April 28th 1853.

Hon. R. J. Brewer &c.

Sir:

The Treasurer of this State has notified the Governor that a petition for a mandamus has been filed by the late Comptroller, and that a copy of the rule has been served upon him. You will find enclosed a copy of the proceedings. The Comptroller claims that his salary should have been paid dating from the day of his election, and not of his qualification. The settlement of this question is all important to the State, as it applies to the salaries of Judges, and is supposed to involve the decision of the members of the Legislature. Upon a very large amount of money depends upon the issue of this case. In this conjuncture of affairs, the Treasurer has requested the Governor to assign counsel. He has accordingly, directed me to tender you the appointment, and earnestly to request that you will accept. The Governor is aware, that you have heretofore declined attending to business in the lower Courts, but he confidently hopes that in a case of such magnitude, you will not refuse the State the benefit of your eminent professional ability and experience.

The case stands for argument on Saturday next. but if you cannot attend that day, the Governor will address a note to the Judge, and request a postponement.

The Governor is, however, anxious that the matter may be disposed of, whilst the Legislature is yet in session. This letter will be sent to you by a special messenger, and an immediate answer is respectfully requested.

I have the honor to be,
Very Respectfully, Your Obt. Servt
Thos. H. O'Neal
Secretary of State

Mr. McMahon declined.

Executive Department,
Annapolis Md.
April 29th 1853.
Half past six o-clock. P. M.

Hon: Nicholas Brewer
Judge of the second Judicial Circuit.

Sir:

Yesterday afternoon, the Governor was