

ditional compensation whenever he was sent to a distance and was long detained or rendered important services to the Union.

When the late Attorney General, Reverdy Johnson filled that office, he was sent to New York or Philadelphia, by General Taylor to attend to the interests of the United States in momentous cases about to be tried, which had been previously tried and decided against the United States. He was successful, and saved to the United States some ten or twelve millions of dollars. When he returned, General Taylor, expressed his high gratification at the manner in which the Attorney General had performed the duties entrusted to him, and asked him to state what was the amount of extra compensation, to which, according to usage, he was entitled. Mr. Johnson replied, that he had examined the law on the subject, and had satisfied himself that he had but discharged his duty as Attorney General, was not entitled to receive and would not receive any compensation for the services rendered, other than his salary.

Mr. JENIFER asked whether Messrs. Pinkney and Rush did not receive large extra fees?

Mr. DORSEY said, he could not answer the question. He had said that it was the practice to receive additional fees. His friend before him, (Mr. Howard,) said it was always usual.

Mr. SCHLEY referred to the section which prohibits the increase or diminution of the salary of a public officer while he remains in office.

Mr. DORSEY said:

This still further demonstrates the impropriety of attempting to obtain an Attorney General at the low salary of one thousand five hundred dollars. The State could never expect to get, at such a salary as that, men like Luther Martin, Pinkney or Taney, who conferred more honor on the office they filled, than did the office on them.

He admitted that it was not now the same honor to fill the office as it was formerly. And his own appointment, perhaps, might in some degree have contributed to that result. But be the cause what it may, the fact, he thought, could not be denied that at the present day the honor of being Attorney General of Maryland, was not sufficiently great to induce the distinguished members of the profession to seek the appointment.

If it is necessary to send counsel to distant parts of the State, to attend to the public business, it would be cheaper to find persons on the spot competent to the discharge of these duties, and who would take care to see that justice was done to the State.

Mr. SPENCER said, I never contemplated, in proposing to give the Attorney General a salary of fifteen hundred dollars, that he was to perform duties beyond the limits of this State, when required, as well as within it, for that sum. I do not hesitate to express my belief that you cannot get an officer at such a salary, to attend to his duties at home, and also go to New York, or any other State of the Union, or to the Supreme court of the United States. If an officer were to undertake to do it, he would involve himself in debt. No, I calculate the fifteen hundred dol-

lars as the emolument within the State of Maryland. This was the position I occupied.

Mr. DORSEY. My answer was this, that I do not think it follows from necessity—that it is morally certain that the Attorney General, if selected by the people, would be taken from among the most able and distinguished lawyers in the State—that in great and important cases, such as the one I have already referred to, or where the sovereignty or important pecuniary interests of the State of Maryland are deeply involved and are about to be tried in the Supreme Court of the United States, of the Court of Appeals, or in some other court of the United States, it is desirable that the State should be represented by a member of the bar of distinguished eminence; that such an one would be found in the Attorney General of this State is not at the present day a matter of even moral certainty. The interests of Maryland, therefore, require that the Governor should be permitted to seek him in any part of the State where he is to be found, and not be restricted to the employment of an Attorney General not exactly of that order of talent requisite for the occasion.

I stated that I thought the Attorney General of this State had not been, for the last thirty years or more, of that eminent professional ability which distinguished them in olden times, when a Martin, a Pinkney or Taney occupied that post, and conferred more honor on the office than the office did on them.

Mr. SPENCER. The gentleman's answer is just what I expected; and when I say this I mean no disrespect to the gentleman. I mean to say it is the only answer that can be given. One of two things must take place, the Attorney General, if we have one, must be either appointed by the Governor or elected by the people. The argument of the gentleman appears to me to be this: that if the Governor had the appointment, then he would not obtain the services of the ablest and most profound lawyers. If he is appointed by the Governor, then the force of the argument of the gentleman is this: that the very Governor who appoints an Attorney General will select a feeble and unsuitable man, but if on the other hand, he is to be required to select special counsel in each case in which he may require advice, then he will go to some *particular part* of the State; perhaps to Anne Arundel county, or to Baltimore city, or some other *particular place*, where he will find and select some very distinguished lawyer.

Mr. DORSEY, (in his seat.) Or, to Queen Anne's county.

Mr. SPENCER. I am glad to find the gentleman looks to Queen Anne's, but I fear he will find an order of men there *far behind those of Anne Arundel*. I have no doubt they will compare well with the rest of the State.

Mr. President, I apprehend if an Attorney General is appointed by the Governor, he would be as cautious in selecting him, as he would be in selecting special counsel.

But, again, if the Governor is not to appoint, then the people will elect. Here I apprehend that inasmuch as there is a probability of the people being required to elect, the gentleman looks into