

The PRESIDENT. The minority of the committee can submit a report at any time.

The report was then received, read the first time, as follows, and ordered to a second reading, and to be printed:

The committee on State's attorneys, beg leave respectfully to make the following report:

ATTORNEY GENERAL.

Section 1. There shall be an attorney general, elected by the people of the State on general ticket on the _____ of _____ next, and on the same day every year thereafter, who shall hold his office for _____ years from the first Monday of January next ensuing his election, and until his successor shall be elected and qualified, and shall be re-eligible thereto, and shall be subject to removal therefrom for incompetency, wilful neglect of duty, or misdemeanor in office on conviction in a court of law.

Sec. 2. All elections for attorney general shall be certified to, and returns made thereof by the clerks of the circuit courts for the several counties, and the clerk of the superior court of Baltimore city, to the governor of the State, whose duty it shall be to decide upon the elections and qualifications of the person returned, and in case of a tie between two or more persons, to designate which of said persons shall qualify as attorney general and to administer the oath of office to the person elected.

Sec. 3. It shall be the duty of the attorney general to prosecute and defend, on the part of the State, all cases which at the time of his election and qualification, and thereafter may be depending in the court of appeals, or in the supreme court of the United States, by or against the State, or wherein the State may be interested; and he shall give his opinion in writing whenever required by the general assembly, or either branch thereof, the governor, the comptroller, the treasurer or any State's attorney on any matter or subject depending before them, and when required by the governor or the general assembly, he shall aid any State's attorney in prosecuting any suit, or action brought by the State, in any court of this State; and he shall commence and prosecute or defend any suit, or action in any of said courts, on the part of the State, as the general assembly or the governor, acting according to law, shall direct to be commenced, prosecuted, or defended, and he shall receive for his services an annual salary of _____ thousand dollars; but he shall not be entitled to receive any fees, perquisites, or rewards whatever, in addition to the salary aforesaid, for the performance of any official duty, nor have power to appoint any agent, representative, or deputy, under any circumstances whatever.

Sec. 4. No person shall be eligible to the office of attorney general, who has not been

admitted to practice the law in the State, and who has not practiced the law for _____ years, and who has not resided for at least _____ years in the State.

Sec. 5. In case of vacancy in the office of attorney general, or of his removal from the State, or on his conviction as herein before specified, the said vacancy shall be filled by the governor until the election and qualification of his successor, at which election said vacancy shall be filled by the voters of the State for the residue of the term thus made vacant.

THE STATE'S ATTORNEY.

Section 1. There shall be an attorney for the State in each county and the city of Baltimore, to be styled "the State's attorney," who shall be elected by the voters thereof, respectively, on the _____, and on the same day every fourth year thereafter, and hold his office for four years from the _____ next ensuing his election, and until his successor shall be elected and qualified, and shall be re-eligible thereto, and be subject to removal therefrom for incompetency, wilful neglect of duty or misdemeanor in office, on conviction in a court of law.

Sec. 2. All elections for the State's attorney shall be certified to, and returns made thereof, by the clerks of the said counties and city to the judges thereof having criminal jurisdiction, respectively, whose duty it shall be to decide upon the elections and qualifications of the persons returned, and in case of a tie between two or more persons, to designate which of said persons shall qualify as State's attorney, and to administer the oaths of office to the persons elected.

Sec. 3. The State's attorney shall perform such duties, and receive such fees and commissions as are now prescribed by law, and such other duties, fees and commissions as may hereafter be prescribed by law, and if any State's attorney shall receive any other fee or reward than such as is, or may be allowed by law, he shall on conviction thereof, be removed from office; provided, the State's attorneys of the several counties shall receive not less than _____ dollars per annum; and provided the State's attorney for Baltimore city shall have the power to appoint one deputy, at a salary of not more than _____ dollars per annum, to be paid by the mayor and city council of Baltimore, as city officers are paid.

Sec. 4. No person shall be eligible to the office of State's attorney, who has not been admitted to practice law in this State, and who has not resided for at least one year in the county or city in which he may be elected.

Sec. 5. In case of a vacancy in the office of State's attorney, or of his removal from the county or city in which he shall have been elected, or on his conviction as herein