

**COMPARISON OF CONSTITUTIONS**

CONSTITUTION OF 1867	PROPOSED CONSTITUTION OF 1968
<p><b>Sec. 5.</b> In case of vacancy in the office of Attorney General, occasioned by death, resignation, removal from the State, or from office, or other disqualification, the said vacancy shall be filled by the Governor, for the residue of the term thus made vacant.</p> <p><b>Sec. 6.</b> It shall be the duty of the Clerk of the Court of Appeals and the Clerks of any intermediate courts of appeal and of the Commissioner of the Land Office, respectively, whenever a case shall be brought into said Courts, or office, in which the State is a party, or has interest, immediately to notify the Attorney General thereof.</p> <p style="text-align: center;"><b>The State's Attorneys.</b></p> <p><b>Sec. 7.</b> 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 Tuesday next after the first Monday of November, in the year, nineteen hundred and fifty-eight, and on the same day every fourth year thereafter; and shall hold his office for four years from the first Monday in January 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, willful neglect of duty, or misdemeanor in office, on conviction in a Court of Law, or by a vote of two-thirds of the Senate, on the recommendation of the Attorney General.</p> <p><b>Sec. 8.</b> 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 Person elected.</p> <p><b>Sec. 9.</b> The State's Attorney shall perform such duties and receive such salary as shall 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, that the State's Attorney for Baltimore City shall have the power to appoint a Deputy</p>	<p><i>See Section 4.18, Qualifications, p. 77.</i></p> <p><b>Section 4.35. State's Attorney.</b></p> <p>There shall be a state's attorney in each county or district which may be prescribed by the General Assembly by law. He shall be elected by the voters of the county or district in which he seeks office. The term of office, functions, powers, duties, method of filling vacancies, and all other matters relating to the office shall be prescribed by the General Assembly by law.</p> <p><i>See Section 4.35, State's Attorney, p. 79.</i></p> <p><i>See Section 4.35, State's Attorney, p. 79.</i></p>