

four 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 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 election 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 which 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, or either of 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, which 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 twenty-five hundred 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 resided and practiced law in this State, for at least seven years next preceding his election.

Sec. 5. 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.

Sec. 6. It shall be the duty of the clerk of the court of appeals, and the commissioner of the land office, respectively, whenever a case shall be brought into said court or office, in which the State is a party, or has interest,

immediately to notify the attorney general thereof.

#### THE STATE'S ATTORNEYS.

Sec. 7. 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 thereon, respectively, on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-seven, 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, wilful neglect of duty or misdemeanor in office, on conviction in a court of law.

Sec. 8. 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. 9. The State's attorney shall perform such duties and receive such fees and commissions as are now or 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, that the State's attorney for Baltimore city shall have power to appoint one deputy, at a salary of not more than fifteen hundred dollars per annum, to be paid by the State's attorney out of the fees of his office, as has heretofore been practiced.

Sec. 10. 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. 11. In case of 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 specified, the said vacancy shall be filled by the judge of the county or city, respectively, having criminal jurisdiction in which said vacancy shall occur, for the residue of the term thus made vacant.

#### ARTICLE VI.

##### TREASURY DEPARTMENT.

Section 1. The treasury department of this State shall consist of a comptroller and a treasurer.

Sec. 2. The comptroller shall be chosen by the qualified electors of the State, at each