

be interested, except those criminal appeals otherwise prescribed by the General Assembly.

(2) Investigate, commence, and prosecute or defend any civil or criminal suit or action or category of such suits or actions in any of the Federal Courts or in any Court of this State, or before administrative agencies and quasi legislative bodies, on the part of the State or in which the State may be interested, which the General Assembly by law or joint resolution, or the Governor, shall have directed or shall direct to be investigated, commenced and prosecuted or defended.

(3) When required by the General Assembly by law or joint resolution, or by the Governor, aid any State's Attorney or other authorized prosecuting officer in investigating, commencing, and prosecuting any criminal suit or action or category of such suits or actions brought by the State in any Court of this State.

(4) 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 legal matter or subject.

(b) The Attorney General shall have and perform any other duties and possess any other powers, and appoint the number of deputies or assistants, as the General Assembly from time to time may prescribe by law.

(c) The Attorney General shall receive for his services the annual salary as the General Assembly from time to time may prescribe by law, but he may not receive any fees, perquisites or rewards whatever, in addition to his salary, for the performance of any official duty.

(d) The Governor may not employ any additional counsel, in any case whatever, unless authorized by the General Assembly.

**SEC. 4.** No person shall be eligible to the office of Attorney General, who is not a citizen of this State, and a qualified voter therein, and has not resided and practiced Law in this State for at least ten years.

**SEC. 5.**<sup>159</sup> 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 Governor shall appoint a person to fill the vacancy for the residue of the term.

**SEC. 6.**<sup>160</sup> It shall be the duty of the Clerk of the Court of Appeals and the Clerks of any intermediate courts of appeal, respectively, whenever a case shall be brought into said Courts, in which the State is a party or has interest, immediately to notify the Attorney General thereof.

#### *The State's Attorneys.*

**SEC. 7.**<sup>161</sup> 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, 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.

**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 Person elected.

**SEC. 9.**<sup>162</sup> The State's Attorney shall perform such duties and receive such salary as shall be prescribed by the General Assembly. 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 and such other assistants as the Supreme Bench of Baltimore City may authorize or approve and until otherwise provided by the General Assembly, the said State's Attorney, Deputy and Assistants shall receive the following annual salaries: State's Attorney, seven thousand five hundred dollars; Deputy State's Attorney, five thousand dollars; Assistant State's Attorneys, four thousand dollars each; said salaries, or such salaries as the General Assembly may subsequently provide and such expenses for conducting the office of the State's Attorney as the Supreme Bench of Baltimore City may authorize or approve shall be paid by the Mayor and City Council of Baltimore to the extent that the total of them exceeds the fees of his office, or as the General Assembly shall otherwise provide, and the Mayor and City Council of Baltimore shall not be liable for appearance fees to the State's Attorney.

**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 two years, in the county, or city, in which he may be elected.

**SEC. 11.**<sup>163</sup> 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 specified, the Judge or Judges resident in the county or, if there be no resident Judge, the Judge or Judges having jurisdiction in the Circuit Court of the county in which the vacancy occurs, or by the Supreme Bench of Baltimore City for a vacancy occurring in Baltimore City, shall appoint a person to fill the vacancy for the residue of the term.

**SEC. 12.**<sup>164</sup> The State's Attorney in each County, and the City of Baltimore, shall have authority to collect, and give receipt, in the name of the State, for such sums of money as may be collected by him, and forthwith make return of and pay over the same to the proper accounting officer. And the State's Attorney of each county, and the City of Baltimore, before he shall enter on the discharge of his duties, and from time to time thereafter, shall give such corporate surety bond as may hereafter be prescribed by Act of the General Assembly.

<sup>159</sup> Amended by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

<sup>160</sup> Amended by Chapter 10, Acts of 1966, ratified Nov. 8, 1966; Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

<sup>161</sup> Amended by Chapter 99, Acts of 1956, ratified Nov. 6, 1956; Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

<sup>162</sup> Amended by Chapter 185, Acts of 1900, ratified Nov. 5, 1901; Chapter 624, Acts of 1912, ratified Nov. 4, 1913; Chapter 177, Acts of 1924, ratified Nov. 4, 1924; Chapter 490, Acts of 1943, ratified Nov. 7, 1944; Chapter 545, Acts of 1976, ratified Nov. 2, 1976.

<sup>163</sup> Amended by Chapter 522, Acts of 1957, ratified Nov. 4, 1958; Chapter 14, Acts of 1959, ratified Nov. 8, 1960; Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

<sup>164</sup> Amended by Chapter 529, Acts of 1945, ratified Nov. 5, 1946.