

Injunction proceedings to restrain the city of Baltimore from carrying out the provisions of an ordinance alleged to be unconstitutional and void, may be instituted by taxpayers of Baltimore city specially damaged thereby; the attorney-general need not be a party. *Baltimore v. Gill*, 31 Md. 394.

Where an appeal is taken by an attorney employed by private parties to assist the state's attorney, without the latter's consent or co-operation, and the motion to dismiss the appeal is not opposed by the state's attorney or the attorney-general, the motion will prevail. *State v. Carter*, 49 Md. 10.

This section referred to—see notes to art. 15, sec. 1, of the Constitution. *Schneider v. Yellott*, 124 Md. 98.

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.

This section referred to in construing art. 5, sec. 2, and art. 4, sec. 11—see notes thereto. *Groome v. Gwinn*, 43 Md. 622.

Sec. 5. 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.

Sec. 6. It shall be the duty of the Clerk of the Court of Appeals and of 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 thereof, respectively, on the Tuesday next after the first Monday in November, in the year 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, or by a vote of two-thirds of the Senate, on the recommendation of the Attorney-General.

Art. 5, sec. 1, of the Constitution of 1851, referred to in construing art. 4, sec. 18, of the Constitution of 1851—see notes to sec. 41. *Sappington v. Scott*, 14 Md. 54.

See notes to art. 4, sec. 32, and art. 5, sec. 9.

See art. 10, sec. 33, *et seq.*, of the An. Code.

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.

See notes to art. 5, sec. 2.

Sec. 9. The State's Attorney shall perform such duties and receive such fees and commissions or salary, not exceeding three thousand dollars, 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