

missioners who were elected last November, these Commissioners would hold office without any precise limit to their term, and in November, 1893, serious embarrassment and difficulty would arise.

To avoid this result, it is plainly the duty of this General Assembly to legislate upon the subject, and in prescribing by law the "periods not exceeding six years," for which the County Commissioners now in office are to remain in office. It is clear that in order to carry into effect the provisions as to the enlargement of their terms up to the limit of six years, they must extend beyond the period of two years, the time or times for which some of the Commissioners are to hold.

That the Constitutional Amendment was designed to apply to the County Commissioners elected last November, very clearly appears from the first clause, which provides that the election for County Commissioners shall be held on the Tuesday next after the first Monday in the month of November, "*commencing in the year eighteen hundred and ninety-one.*"

The law which it requires this General Assembly to pass was not intended to be made prospective in its operation, and to apply for the first time to the County Commissioners who may be hereafter elected, but the contemplated law was to apply to, cover and fix the terms not exceeding six years of those who were elected "*commencing in the year eighteen and ninety-one.*"

I answer your question, therefore, by expressing my opinion, that the present Session of the General Assembly can constitutionally enact a law prescribing for the County Commissioners, who were elected last November, terms of service which shall continue beyond the period of two years.

Very respectfully,

JOHN P. POE,

Attorney-General.

Which was read.

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#### ORDERS.

Mr. Hayes submitted the following:

Ordered, That the Finance Committee of the Senate be and it is hereby authorized to audit and settle the