

CONSTITUTIONAL CONVENTION OF MARYLAND

CONSTITUTION OF 1867

PROPOSED CONSTITUTION OF 1968

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 on the election and qualification 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 appointment and qualification and which thereafter may be depending in the Court of Appeals and the intermediate courts of appeal, 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 legal matter or subject depending before them, or either of them; and when required by the Governor or 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 have and perform such other duties and shall appoint such number of deputies or assistants as the General Assembly may from time to time by law prescribe: And he shall receive for his service an annual salary of three thousand dollars, or such annual salary as the General Assembly may from time to time by law prescribe: 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 shall the Governor 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.

*See Section 4.18, Qualifications, p. 77.*