

need the information for the benefit of the State.

The question being then taken upon the amendment of Mr. MILLER, it was not agreed to.

No further amendment was offered to the third section.

Section four was then read, as follows:

"Sec. 4. No person shall be eligible to the office of attorney general, who has not been admitted to practice the law in the State, and who has not practiced the law for \_\_\_\_\_ years, and who has not resided for at least \_\_\_\_\_ years in the State."

Mr. SMITH, of Carroll, moved to fill the first blank with the word "ten."

Mr. SCHLEY moved to fill it with the word "five."

The question was upon filling the blank with the word "ten," involving the longest time.

Mr. SMITH, of Carroll. I think a man who is called upon to fill this responsible position, ought to have practiced law for ten years at least. It is one of the most important and responsible positions in the State. And from the circumstances that now surround us, from the changes proposed to be made by this constitution, it is evident that we require in this position the services of one who has occupied a leading position in the profession for ten years at least.

Mr. STIRLING. I partially agree with the views of my friend from Carroll (Mr. Smith.) This is a question which does not affect me one way or the other. I do not expect to fill this office, and I have practiced law for ten years. But it is possible that there is some one who has practiced law but nine years, or eight years, who is well qualified to fill this position. I do not think the people are likely to be careless in reference to this matter. I know that gentlemen have occupied places heretofore in this State probably as prominent as this, who had not practiced law for ten years. Certainly some gentlemen have been upon the bench in this State who had not practiced law for ten years. The last chief justice of this State had not practiced near ten years, when he was called to that position. And he certainly made one of the best judges the State has had. Though I did not agree with him in politics, and he had some few fallings which his friends might very well regret, still all that had nothing to do with his age, or his practice at the bar. He was abundantly able to fill the position of judge, and fully competent to fill the position of attorney general. I refer to the late chief justice LeGrand, who had not practiced law five years when called to that position. Take such a man as Judge Constable; I have no doubt everybody would have thought him fit for the place of attorney general even before he had practiced law for five years. I think you may safely trust the people to exercise a proper discre-

tion in regard to the matter. I do not deem it a matter of very serious importance, but I shall support the proposition to fill the blank with the word "five" instead of the word "ten."

Mr. SCHLEY. I am somewhat concerned in this matter, as a citizen of this State. I am sure no one is more desirous than myself to secure ability and learning in this high office. But it occurs to me that if after a practice of five years an attorney at law does not show a fitness for this office, he will not do so after fifty years of practice. He may not have acquired as much legal acumen and learning in five years as he would in a longer time; but his legal acumen and learning will show themselves in that time.

Mr. STIRLING. I will state another instance. Governor Hicks offered the most important judgeship in Baltimore, before Judge Martin accepted the position, to a gentleman who certainly had not practiced law for five years. He offered the place to him with the entire approbation of a large portion of the bar; but he declined.

Mr. SMITH, of Carroll. I know there are instances of rather extraordinary men. But a gentleman may be learned in the law, and yet not knowing about the duties of attorney general. I think ten years is short enough time to require of one who will be called upon to apply himself to the practice of law in all its branches.

The question was upon the motion of Mr. SMITH, of Carroll, to fill the first blank with the word "ten."

The question being taken, upon a division—ayes 24, noes 26—the motion was not agreed to.

The question recurred upon the motion of Mr. SCHLEY, to fill the blank with the word "five."

Mr. CHAMBERS. I propose to fill the blank with the word "seven," as I believe seven years is as short a time as can enable a man to fit himself for this office.

The question was upon the motion of Mr. CHAMBERS, embracing the longest time.

The question being taken, upon a division—ayes 42, noes; not counted—the motion was agreed to.

The question was next upon filling the blank in the last clause of the section, which read as follows:

"And who has not resided for at least \_\_\_\_\_ years in the State."

On motion of Mr. STOCKBRIDGE,

The blank was filled with the word "five."

On motion of Mr. ABBOTT,

The words "next preceding his election" were added to the clause.

On motion of Mr. CHAMBERS,

The word "therein" was inserted after the words "practiced law."

Mr. CHAMBERS. I did not notice the question at the time the last blank was filled with