

the word "five." In order to make the term of residence correspond with the time for which the party to be eligible to this office must have practiced law, I move to reconsider the vote by which the term of residence in the State was fixed at five years. I think the practice required should be in this State. A gentleman may come from another State in which he has practiced twenty years, and yet be quite uninformed in regard to the mode of practice, and the peculiar statute law of our State, which is the great subject of criminal jurisdiction.

The motion to reconsider the vote by which the word "five" was inserted, was agreed to.

The question recurred upon inserting the word "five."

Mr. CHAMBERS moved to insert the word "seven."

The question was upon inserting the word "seven," being the longest time.

Mr. STOCKBRIDGE. Instead of that, I will move to strike out the words, "and who has not resided for at least _____ years in the State." If that is adopted the section will then read—

"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 therein for seven years next preceding his election."

Mr. STIRLING. That does not exactly fix the term of residence in this State at seven years. It is possible that a man may have practiced law in this State for seven years and not have resided here for that length of time. In New York it often happens that a man practices law there for years, and does not live in the State at all. I know gentlemen who reside in this State and go to Washington day after day and practice law. I think the section is better as it is.

Mr. STOCKBRIDGE. I will not press my motion.

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

Mr. SCHLEY. I move to strike out the word "seven" where it first occurs, and insert "five."

The CHAIRMAN (Mr. Daniel.) It is not in order to move to strike out what the house has voted to put in.

The question being then taken upon the motion of Mr. CHAMBERS to insert the word "seven," it was agreed to.

Mr. STOCKBRIDGE. I move to transpose the words "in the State" from after the word "years" to after the word "resided." The clause will then read—

"And who has not resided in the State for at least seven years next preceding his election."

The question being taken, the motion was agreed to.

No further amendment was offered to the fourth section.

Section five was then read as follows:

"Sec. 5. In case of vacancy in the office of attorney general, or of his removal from the State, or on his conviction as herein before specified, the said vacancy shall be filled by the governor until the election and qualification of his successor, at which election said vacancy shall be filled by the voters of the State for the residue of the term thus made vacant."

Mr. MILLER. I would suggest to the chairman of the committee (Mr. Smith, of Carroll,) that there seems to be some inconsistency in this section. The section provides that in case of a vacancy it "shall be filled by the governor until the election and qualification of his successor." That covers the case of a vacancy during the time for which he was elected. And yet the section goes on to provide—"at which election said vacancy shall be filled by the voters of the State for the residue of the term thus made vacant."

Mr. CHAMBERS moved to adjourn—not agreed to.

Mr. STOCKBRIDGE. I move to amend this fifth section by striking out the words "until the election and qualification of his successor: at which election said vacancy shall be filled by the voters of the State"—so that that portion of the section will read—"the said vacancy shall be filled by the governor for the residue of the term thus made vacant."

The question being taken, the amendment was agreed to.

Mr. MILLER. I move to amend the first part of the section so that it shall read "in case of vacancy in the office of attorney general, occasioned by his death, resignation or removal from the State, or his conviction as hereinbefore specified," &c.

The question being taken, the amendment was agreed to.

LEAVE OF ABSENCE.

Mr. MARKEY asked and obtained leave of absence for a few days.

Mr. HOPPEN asked and obtained leave of absence until Monday next.

Mr. HATCH moved that the convention adjourn.

Upon this question Mr. HESS called the yeas and nays, which were ordered.

The question being then taken, by yeas and nays, upon the motion to adjourn, it was agreed to—yeas 33, nays 24—as follows:

Yeas—Messrs. Audouin, Billingsley, Blackiston, Briscoe, Brooks, Brown, Chambers, Clarke, Davis, of Charles, Dent, Edelen, Gale, Hatch, Horsey, Jones, of Somerset, Keefer, Kennard, Lansdale, Lee, Markey, Mitchell, Miller, Mullikin, Murray, Nyman, Parker, Parran, Pugh, Smith, of Dorchester, Smith, of Worcester, Searcy, Stirling, Wickard—33.