

Before he had reached his majority, Gen. Smith was admitted to the bar, and a year or two later opened an office in Madison. His talents and ability soon won for him honor and distinction in his chosen profession. When but twenty-two years old he was appointed to the office of district attorney for Dane County, and discharged its arduous duties in a manner so successful and satisfactory to the people that he was continued in the same position for six years. A further proof of the high regard entertained for the ability of the young lawyer by his early acquaintances was his election in 1846 as a member of the first constitutional convention for Dane County. He was the youngest member of that able body of men, but he made his influence felt in their deliberations. It was largely through his efforts in that convention and subsequently in a private capacity that the provision in our State constitution relating to the exemption of property from execution was incorporated in that instrument. The protection thus afforded the poor debtor and his family encouraged immigration, promoted the material development of the State and ensured the permanent prosperity of its people. It showed the wisdom and foresight of the young legislator, not less than his broad philanthropy and his deep sympathy with those in poverty and distress. The service he thus rendered the infant Commonwealth was a great and lasting benefit, and will be the most enduring monument of his public life.

In 1853, the popular young attorney was called to the discharge of the responsible duties of the office of attorney general of the State, and held the position two years, declining a renomination. This term of public service, Gen. Smith in after life considered a great misfortune to himself, owing to the charges made against his official conduct by the opposition press, in connection with the frauds alleged to have been perpetrated to secure the re-election of Gov. Barstow. That he was ignorant of any attempt to manufacture fraudulent returns was never a matter of doubt in the minds of those most familiar with all the circumstances, and who best knew the character of the man. But that such an attempt should have been made, aroused popular indignation, and the public is never very discriminating in meting out punishment