

ARTICLE LXIX.

OFFICERS.

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| <ol style="list-style-type: none"> 1. Ineligibility for failure to account. 2. How far removed by accounting. 3. Governor to inquire before issuing commission. 4. <i>Quo warranto</i> if commission has been inadvertently issued. 5. State's attorney's duty to inquire and institute proceedings. 6. Advertisement of defaulting officers before elections. 7. Inquiry by committee on elections of two houses of assembly. | <ol style="list-style-type: none"> 8. <i>Quo warranto</i> to be deemed sufficient. 9. Acts while commission unannulled to be valid. 10. Postmaster and deputies, U. S. marshal and deputies, not to hold state office; penalty. 11. Sheriff, constable or collector of taxes, not to purchase debt; penalty. 12. Persons appointed to public office to be residents of this state. |
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1904, art. 69, sec. 1. 1888, art. 69, sec. 1. 1860, art. 69, sec. 1. 1856, ch. 16, sec. 1.

1. Every person who, since the adoption of the constitution of 1851, has become a collector, receiver or holder of public moneys and who has failed to fairly account with the treasury and to whom is charged on the books thereof any sum as due to the State shall be taken and deemed to all intents and purposes as ineligible as senator or delegate or to any office of profit or trust under this State, until he shall have accounted for and paid into the treasury all sums on the books thereof charged to and due by him.

Ibid. sec. 2. 1888, art. 69, sec. 2. 1860, art. 69, sec. 2. 1856, ch. 16, sec. 2.

2. An ineligibility resulting from a failure to pay into the treasury, as directed in the preceding section, shall not be removed so as to validate an election or appointment already had or made by an accounting with or payment into the treasury, but shall only remove such ineligibility so far as future elections or appointments are concerned.

Ibid. sec. 3. 1888, art. 69, sec. 3. 1860, art. 69, sec. 3. 1856, ch. 16, sec. 3.

3. In every case in which the governor shall be called upon to issue a commission to any officer under the constitution and laws of this State, he shall apply to the comptroller to know if the party desiring to be commissioned is in default to the State and on the comptroller's certifying that such person is not a defaulter to the State the governor may issue the commission if all the requirements of the constitution and laws have been complied with, and not otherwise.

As to the publication of the names of officers in default to the state, see art. 19, sec. 23.

See art 33, sec. 88.

As to the tax on official commissions, see art. 81, sec. 146, *et seq.*