

shall have power to appoint one deputy at an annual salary not exceeding four thousand dollars, and such other assistants at such annual salaries, not exceeding twenty-five hundred dollars each, as the Supreme Bench of Baltimore City may authorize and approve; all of said salaries to be paid out of the fees of the said State's Attorney's office, as has heretofore been practiced.]\*

A state's attorney has no authority to institute proceedings in the nature of *quo warranto* to oust an incumbent from a public office; state's attorneys in Maryland possess no other powers than those prescribed by the constitution or by statute. *Hawkins v. State*, 81 Md. 310 (decided in 1895).

Sec. 10. No person shall be eligible to the office of State's Attorney who has not been admitted to practice Law in this State, and who has not resided for at least two years in the county or city in which he may be elected.

Sec. 11. In case of vacancy in the office of State's Attorney, or of his removal from the county or city in which he shall have been elected, or on his conviction as herein specified, the said vacancy shall be filled by the Judge of the county or city, respectively, having criminal jurisdiction, in which said vacancy shall occur, for the residue of the term thus made vacant.

See notes to article 4, section 32.

Sec. 12. The State's Attorney in each county, and the City of Baltimore, shall have authority to collect, and give receipt, in the name of the State, for such sums of money as may be collected by him, and forthwith make return of and pay over the same to the proper accounting officer. And the State's Attorney of each county, and the City of Baltimore, before he shall enter on the discharge of his duties, shall execute a bond to the State of Maryland, for the faithful performance of his duties, in the penalty of ten thousand dollars, with two or more securities, to be approved by the Judge of the Court having criminal jurisdiction in said counties or city.

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## ARTICLE VI.

### TREASURY DEPARTMENT.

Section 1. There shall be a Treasury Department, consisting of a Comptroller, chosen by the qualified electors of the State, at each regular election of members of the House of Delegates, who shall receive an annual salary of two thousand five hundred dollars; and a Treasurer, to be appointed by the two Houses of the Legislature, at each regular session thereof, on joint ballot, who shall receive an annual salary of two thousand five hundred dollars; and the terms of office of the said Comptroller and Treasurer shall be for two years, and until their suc-

\*Thus amended by the act of 1912, chapter 624, ratified by the people November 4, 1913.