

An. Code, sec. 2. 1904, sec. 2. 1888, sec. 2. 1852, ch. 12, secs. 2-4.

2. Before entering upon the discharge of his duties, he shall give bond to the State, with security or securities approved by the governor in the penalty of two hundred thousand dollars with condition that he will truly and faithfully discharge, execute and perform all and singular the duties required and which may be required of him by the constitution and laws.

The giving of bond and taking of oath prescribed by constitution are indispensably necessary to possession of the office. The treasurer being in office for two years and until his successor qualifies, his bond is liable for default occurring after expiration of the two years but before his successor qualifies. *Archer v. State*, 74 Md. 427.

Where treasurer is not legally in office because he has failed to take oath prescribed by constitution, his official bond (although it has been approved by Governor) is not liable. *Archer v. State*, 74 Md. 448.

An. Code, sec. 3. 1904, sec. 3. 1888, sec. 3. 1852, ch. 12, sec. 5.

3. Each security on the bond of the treasurer shall make oath that he is *bona fide* worth, over and above his debts, not less than some specified sum, to be stated in said oath, which oath shall be endorsed on said bond and recorded therewith.

An. Code, sec. 4. 1904, sec. 4. 1888, sec. 4. 1852, ch. 12, sec. 6.

4. The governor shall not approve any bond of the treasurer unless the sums so sworn to and endorsed on said bond shall in the aggregate at least equal the amount of the penalty thereof, and he shall be satisfied of the availability of each security.

An. Code, sec. 5. 1904, sec. 5. 1888, sec. 5. 1852, ch. 12, sec. 8.

5. The bond of the treasurer, when duly executed and approved, shall be recorded in the office of the clerk of the court of appeals, and certified copies under seal of said court may be used in evidence in any court of law or equity in this State.

An. Code, sec. 6. 1904, sec. 6. 1888, sec. 6. 1852, ch. 12, sec. 7.

6. It shall be the duty of the governor at all times, when in his opinion the security or securities of any treasurer have become or are likely to become invalid or insufficient, to demand and require such treasurer forthwith to renew his bond to the State of Maryland, with security or securities to be approved by the governor, in the penalty and according to the form prescribed in this article; and in case of neglect or refusal by any treasurer to give bond with security or securities as aforesaid, within twenty days after the same shall be demanded and required by the governor, such neglect or refusal shall be, and it is hereby declared to be, a disqualification within the meaning of the constitution; and the governor is hereby required to proceed forthwith to appoint a fit and proper person to fill the vacancy occasioned thereby, according to the provisions of the constitution.

Cited but not construed in *Archer v. State*, 74 Md. 428.