

in said office, or that in case he shall remove or resign, he, the said A. B., his executors or administrators, shall surrender and deliver up, or cause to be surrendered and delivered up to the next person who shall succeed him in said office, all the papers and record books being in said office, in good order and repair, with the records and entries faithfully, legibly and truly made up and entered, during the time he hath officiated in the said clerk's office, without favor or affection, but according to the truth and the nature of the thing, and shall well and faithfully pay over to the treasurer of the State of Maryland all sums of money received by him for the use of the State, according to law, in the manner and at the time limited by law, without fraud or further delay, and shall well and truly account for the same with the officer or person or persons authorized to receive the same; and the duty of his said office by law imposed legally, duly and faithfully shall discharge, according to law and the true intent and meaning of the law in such case made and provided, then the above obligation to be void and of none effect, or else to remain in full force and virtue in law."

Court records being public property, the state is bound to supply them if lost, and in such event may hold clerk's bond liable. *State v. Wayman*, 2 G. & J. 282.

Cited but not construed in *Belt v. Prince George's County Abstract Co.*, 73 Md. 292; *Dowling v. Smith*, 9 Md. 267.

See secs. 11, 17 and 39.

As to suits on the bond of court clerks, see art. 75, secs. 20, 21 and 108.

*Re.* counter security upon application of sureties on clerk's bonds, see art. 90, sec. 5.

An. Code, sec. 49. 1904, sec. 48. 1888, sec. 45. 1823, ch. 195, sec. 1. 1840, ch. 52.  
1916, ch. 323.

**53.** The said bond shall be recorded in the office of the court of which he is clerk and shall be renewed every second year during the first four days of the Fall term of said court, provided, however, that if the surety upon said bond be an approved surety company said bond may be for the full term of said clerk, and an annual receipt showing payment of premium, executed by such surety company, shall be filed by the clerk with the approval of the court endorsed thereon, which receipt shall be recorded in like manner as the original bond; and where the Circuit Court for any county is held in December, such court shall be deemed a Fall term within the meaning of this Section.

An. Code, sec. 50. 1904, sec. 49. 1888, sec. 46. 1823, ch. 195, sec. 2.

**54.** On default of any clerk to execute the bond required by the two preceding sections, within the time therein prescribed, such defaulter shall be subject to a penalty of one thousand dollars, to be recovered by indictment in the name of the State, in the circuit court for the county in which he shall reside.

An. Code, sec. 51. 1904, sec. 50. 1888, sec. 47. 1823, ch. 195, sec. 3.

**55.** It shall be the duty of each clerk to transmit to the comptroller, on the first day of January next after the execution of said bond, a certified copy thereof.