

which the moneys of the State, may, from time to time, be deposited. He shall prescribe the formalities of the transfer of stock, or other evidence of the State debt, and countersign the same, without which such evidence shall not be valid; he shall make to the General Assembly full reports of all his proceedings, and of the state of the Treasury Department within ten days after the commencement of each Session; and perform such other duties as shall be prescribed by law.¹

The provisions of ch. 356, 1937 (art. 89B, sec. 155 *et seq.*), providing for the collection and disbursement of tolls for payment of interest and principal of bonds issued for construction of bridges, do not violate the provisions of this section and Sec. 3. *Wyatt v. State Roads Comm.*, 175 Md. 258.

The act of 1841, ch. 23, sec. 48—see art. 81, sec. 66, of the An. Code—making the account and certificate of the state treasurer evidence to establish the amounts due the state by tax collectors, held to be still in force and to be applicable to the comptroller who was charged by this section (as it stood in the Constitution of 1851) with the duties which the treasurer had performed; the act of 1841, and this section, are *in pari materia*. *Billingsley v. State*, 14 Md. 376.

Under this section and the following one (as they stood in the Constitution of 1851), it was the duty of the treasurer to disburse the public monies on the warrant of the comptroller and not otherwise; and the duty of adjusting and settling all public accounts is imposed upon the comptroller. If payment of the comptroller's salary is refused, mandamus lies. *Thomas v. Owens*, 4 Md. 219.

This section referred to—see notes to art. 15, sec. 1, of the Constitution. *Schneider v. Yellott*, 124 Md. 97.

Sec. 3. The Treasurer shall receive the moneys of the State, and, until otherwise prescribed by law, deposit them, as soon as received, to the credit of the State, in such bank or banks as he may, from time to time, with the approval of the Governor, select (the said bank or banks giving security, satisfactory to the Governor, for the safekeeping and forthcoming, when required of said deposits), and he or such of his deputies as may be authorized to do so by the Legislature shall disburse the same for the purposes of the State according to law, upon warrants drawn by the Comptroller, or his duly authorized deputy, and on checks countersigned by the Comptroller, or his duly authorized deputy, and not otherwise. The Treasurer or such of his deputies as may be authorized to do so by the Legislature shall take receipts for all moneys paid from the Treasury Department; and receipt for moneys received by him shall be endorsed upon warrants signed by the Comptroller, or such deputy as may be authorized to do so by law, without which warrants, so signed, no acknowledgment of money received into the Treasury shall be valid; and upon warrants issued by the Comptroller, or his duly authorized deputy, the Treasurer shall make arrangements for the payment of the interest of the public debt, and for the purchase thereof, on account of the sinking fund. Every bond, certificate, or other evidence of the debt of the State shall be signed by the Treasurer, and countersigned by the Comptroller; and no new certificate or other evidence intended to replace another shall be issued until the old one shall be delivered to the Treasurer, and authority executed in due form for the transfer of the same filed in his office, and the transfer accordingly made on the books thereof, and the certificate or other evidence cancelled; but the Legislature may make provisions for the loss of certificates, or other evidences of the debt; and may prescribe, by law, the manner in which the Treasurer shall receive and keep the moneys of the State.¹

This section referred to in construing sec. 9 of art. 11 of the Code. *Public Indemnity Co. v. Page*, 161 Md. 247.

This section referred to in construing art. 90, sec. 8. *Banking Co. v. Fid. & Dep. Co.*, 165 Md. 672.

¹ Thus amended by Act of 1929, ch. 133, and ratified Nov. 1930.