

which he may have received, and on his failure to do so within thirty days thereafter, his bond may be put in suit for the use of the state, in which suit recovery shall be had for the amount appearing to be due the state, with interest at the rate of ten per cent. per annum, from the date or dates when the same became payable as aforesaid; and a failure on the part of any clerk to make such payment shall amount to a forfeiture of the commissions to which he would otherwise be entitled, any recovery on the bond of the clerk, for the non-payment of public money received by him shall be evidence of a misdemeanor in office, for which, upon conviction, he may be removed. <sup>Penalty.</sup>

In force and approved March 28, 1868.

#### CLERKS OF COURTS OF BALTIMORE CITY.

1868, c. 54 enacts the following to carry into effect section 37, Art. 4 of Const. (see Const., Art. 3, sec. 45, and Art. 15, sec. 1:)

77. Whenever the fees or other compensation of any of the clerks of the courts of Baltimore city shall, after the payment of all necessary expenses, fail to pay such officer the salary provided for by the constitution, and said clerks, or any of them, shall, under section first, article fifteen, of the constitution, have paid to the state any sum or sums of money as excess, after retaining his salary, such excess, is hereby appropriated to the payment of the salary or salaries so in arrear until each of said clerks shall have received the full amount thereof; and it shall be the duty of the comptroller of the state to draw a warrant upon the state treasurer for the payment of said arrears out of the said excess, not to exceed the amount so in arrear, and not to exceed the whole amount of said excess paid into the treasury of the state. <sup>1868, c 54. Salaries of clerks. Duty of comptroller.</sup>

Passed and approved February 13, 1868.