

ARTICLE XXIV.

QUALIFICATIONS AND RESTRICTIONS OF OFFICERS.

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| <p>1 Defaulters ineligible to office until payment
 2 When payment shall render eligible
 3 Duty of governor before issuing commission
 4 Quo warranto to revoke commissions wrongfully issued.
 5 State's attorney to issue
 6 Comptroller to furnish accounts, publication</p> | <p>7 Committees on elections to report members of the General Assembly who are defaulters
 8 Quo warranto sufficient to test right to office
 9 Acts done while in office not invalidated
 10 Postmaster or deputies, marshal or deputies, not to hold State office
 11 Sheriff, constable, or collector of taxes, not to purchase claims</p> |
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1. Every person who has become, since the adoption of the Constitution of the State, a collector, receiver, or holder of public moneys, and who has failed to fairly account with the treasury, and to whom is charged on the books thereof any sum as due to the State, shall be taken and deemed, to all intents and purposes, as ineligible as senator or delegate, or to any office of profit or trust under this State, until he shall have accounted for and paid into the treasury all sums on the books thereof charged to and due by him.

Art 69, s 1
 Const art 3, s 12
 1856, c 16, s 1
 Failure to account with treasury by officers, makes them ineligible for office until payment.

2. An ineligibility resulting from a failure to pay into the treasury, as directed in the preceding section, shall not be removed so as to validate an election or appointment already had or made by an accounting with or payment into the treasury, but shall only remove such ineligibility so far as future elections or appointments are concerned.

Id s 2
 1856, c 16, s 2.
 When payment shall render eligible.

3. In every case in which the governor shall be called upon to issue a commission to any officer under the Constitution and laws of this State, he shall apply to the comptroller to know if the party desiring to be commissioned is in default to the State, and on the comptroller's certifying that such a person is not a defaulter to the State, the governor may issue the commission, if all the requirements of the Constitution and laws have been complied with, and not otherwise.

Id s 3
 1856, c 16, s 3.
 Duty of governor before issuing commission

4. Whenever the governor shall be apprised that a commission has been inadvertently issued to any one, he shall cause the State's attorney of the particular county, or of the city of Baltimore, to sue out of the Circuit Court for the said county, or from the Superior Court of Baltimore City, a writ of *quo warranto*, directed to the person professing to hold the office mentioned in the commission so improvidently issued, to inquire into the right whereby such office is so held; and if it shall appear on the trial that at the time of the election or appointment of such person he had not accounted with and paid into the treasury of the State any money which he should have accounted for and paid into the treasury before such election or appointment, then the court shall adjudge said election or appointment to have been null and void from the beginning, and the office to be vacant.

Id s 4
 1856, c 16, s 4.
 Quo warranto to revoke commission wrongfully issued