

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.

1888, art. 69, sec. 2. 1860, art. 69, sec. 2. 1856, ch. 16, sec. 2.

**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.

Ibid. sec 3. 1860, art 69, sec 3 1856, ch 16, sec. 3.

**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 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.

Ibid. sec. 4 1860, art. 69, sec 4. 1856, ch 16, sec. 4

**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 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, court of common pleas or Baltimore city court, 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.