

said election or appointment to have been null and void from the beginning and the office to be vacant.

SEC. 5. *And be it enacted*, That it shall be the duty of the State's Attorneys, for the several counties of this State and for the city of Baltimore whenever it shall come to their knowledge by informatton given to them that any one has been commissioned in their respective counties or city, as the case may be, who was at the time of his election or appointment to office in default to the Treasury of the State, for not accounting for and paying over to the Treasury any moneys which he ought to have accounted for and paid into the Treasury, to cause inquiry to be made of the Comptroller of the State, for a statement of the accounts of the party so commissioned, and if it shall appear from the certificate of the Comptroller, that said person is in default to cause the proceeding to be had which is authorised by the fourth section of this act, and in case of his failure so to do, such failure shall be deemed a wilful neglect of duty and sufficient to justify his removal from office.

Duty of State's Attorney.

SEC. 6. *And be it enacted*, That to remove all doubts as to the legal office generally of the writ of *quo warranto* in the cases contemplated in this act, such writ shall be deemed and taken as all sufficient for the institution, prosecution and decision of the inquiry herein authorised and commanded.

To remove all doubts.

SEC. 7. *And be it enacted*, That nothing contained in this act, shall be taken to invalidate any act done by any officer within the scope of his authority so long as his commission shall be unannulled as hereinbefore provided, but on the contrary shall have the same force and effect as if he had not been improvidently commissioned.

Not to invalidate.

SEC. 8. *And be it enacted*, That it shall be the duty of the Comptroller of the Treasury to furnish to each officer of this State, whose accounts are in arrears at least sixty days prior to a general election, a full statement of his accounts, and in default of his accounting for such deficiencies within thirty days, then it shall be the duty of the Comptroller to have published weekly for one month in one or more newspapers in the several counties of this State, and the city of Baltimore, the names and titles of such officers, with the amount of such deficiencies.

Duty of the Comptroller.

SEC. 9. *And be it enacted*, That the committees on elections of the two branches of the Legislature shall at every session thereof ascertain from an examination of the books of the Treasurer, whether any member elect

Duty of the committees on elections.