

SEC 44. *And be it further enacted*, That Sections 3 and 5 of Article 69 of the Code, title "Officers", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

3.

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] *mandamus* 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.

5.

The writ of [quo warranto] *mandamus* shall be deemed and taken as sufficient for the institution, prosecution and decision of the inquiry herein authorized and commanded.

SEC. 45. *And be it further enacted*, That sub-section (c) of Section 39 of Article 73B of the Code, title "Pensions", sub-title "Social Security Benefits", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

39 (c) Any political subdivision which shall feel aggrieved by the decision or action of the State Agency may appeal from such decision or action of said State Agency [within 30 days from such decision or action,] to the circuit court of the county in which its principal office is located, or if located in Baltimore City, to the Superior Court of Baltimore City, for the purpose of having the decision or action of the State Agency reviewed. An appeal may be taken from the decision of the circuit court or the superior court to the Court of Appeals by any party to the proceeding [in the same manner as other appeals are taken from decrees or orders of said court. An appeal shall act as a stay]. *The State Agency may stay its action pending the determination of the appeal.*

SEC. 46. *And be it further enacted*, That Section 17 of Article 75 of the Code, title "Pleadings", Practice and Process At Law", sub-title "III. Practice", sub-heading "Arbitration and Award", be and it is hereby repealed and that a new Section 17 be and it is hereby enacted in lieu thereof, to stand in the place of the Section repealed and to read as follows:

17.

*An award may be vacated only where the court finds, pursuant to the provision of the Maryland Rules, that (1) the award was procured by fraud, corruption or other improper means or (2) the*