

ing or otherwise, then such expenses shall be repaid to the [Commissioner] *Secretary* by the officials in whose interest such expenses were incurred.

40.

No person shall wilfully or corruptly make any false mark or report upon any examination; no person shall impersonate another in any examination held under this article; no person shall, by himself or in cooperation with one or more persons, wilfully or corruptly defeat, deceive, or obstruct any person in respect to his right of examination under the provisions of this article or falsely mark, grade, estimate or report upon the examination or standing of any person examined hereunder, or aid in so doing, or furnish to any person except in answer to inquiries of the [Commissioner] *Secretary of Personnel* any special information for the purpose of either improving or injuring the rating of any such person for appointment of employment. No applicant shall deceive the [Commissioner] *Secretary* for the purpose of improving his chances or prospects for appointment. No person shall use or promise to use his influence or official authority to secure any appointment or prospect of appointment to any position classified under this article as a reward or return for personal or partisan political service. No public officer or employee, whether in the classified service or not shall, by means of threats or coercion, induce or attempt to induce any person holding a position in the classified service to resign his position or to take leave of absence from duty or to waive any of his rights under this article. No person about to be appointed to any position classified shall sign or execute a resignation dated or undated in advance of such appointment. Any such resignation shall be of no effect.

41.

Any person who shall violate any of the provisions of this article or of the rules of the [Commissioner] *Secretary of Personnel* shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine or not less than fifty dollars (\$50.00) and not more than three thousand dollars (\$3,000.00) or by imprisonment for a term not exceeding six months or by both such fine and imprisonment in the discretion of the court.

43.

It shall be the duty of the [Commissioner] *Secretary of Personnel* to begin and conduct all civil suits which may be necessary for the proper enforcement of this article and of the rules of the [Commissioner] *Secretary* and to defend all civil suits which may be brought against the [Commissioner] *Secretary*. The [Commissioner] *Secretary* shall be represented in such suits and in all legal matters by the Attorney General of the State. Any citizen of the State may maintain an action in any court of record or before any justice of the peace to recover, for the use of the State, any sums paid contrary to the provisions of this article or of the rules of the [Commissioner] *Secretary* from the person or persons authorizing or making such payment to enjoin such person or persons from making such authorization, or to enjoin the [Commissioner] *Secretary* from attaching his certificate to a payroll, if a certificate is provided for by rule, in violation of the provisions of this article. No judgment, decree or other order of any court or of any justice of the peace