

nothing to do; therefore it would have been my duty to cause said decision to be carried into effect, had I not been fully satisfied that, in so doing, I should violate a clear and plain law of the State.

The first Section of Article 22, of the Code of Public General Laws, says that "the Comptroller shall file his bond, and qualify by making the declaration and taking the oaths required by the Constitution and laws before the Governor, on or before the second Wednesday of January next ensuing his election; on which said second Wednesday of January the term of his office shall commence."

The decision of the Legislature was arrived at, and Mr. Jarrett presented his bond and offered to take the oath of office, long after the expiration of the period fixed by law for those purposes. As I could not administer the oath of office to him without palpably violating the law, I refused to accede to his request to do so; and took no action in the matter except to endorse upon the bond offered by him my belief that the sureties thereto were sufficient. Whereupon Mr. Jarrett instituted certain legal proceedings in the premises, which were afterwards withdrawn.

Subsequently the incumbent of the office resigned, and I appointed Dr. Dennis Claude to fill the vacancy.

The Legislatnre, at its Special session at Frederick, passed an Act to enable Mr. Jarrett to qualify before one of the Judges of the Court of Appeals. He did so, and demanded possession of the office. Believing the Legislature had no power to pass such a law, retroactive in effect, I requested Dr. Claude to refuse to give up the office. Mr. Jarrett then opened an office in Annapolis, and was duly recognised by the Treasurer as being the Comptroller.

Believing it to be my duty, I caused legal proceedings to be instituted, to test the right of Mr. Jarrett to proceed in the discharge of the functions of the office which he claimed. The Courts decided that he had the right; and, thereupon, Dr. Claude delivered to him the books, papers, &c., and surrendered the office.