

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.

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.

4. Whenever the Governor shall be apprized that a commission has been inadvertently issued to any one, he shall cause the State's Attorney of the particular 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, 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.

5. The State's Attorneys for the several counties and for the city of Baltimore, whenever they shall be informed that any one has been commissioned in their respective counties or the said city 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, shall cause inquiry to be made of the Comptroller for a statement of the account of the party so commissioned, and if it shall appear from the certificate of the Comptroller that said person is in default, shall cause the proceeding to be had authorized by the preceding section, and the failure of any State's Attorney to comply with