

their deputies, to take bail bonds of all persons taken by them on any criminal writ, for any offence less than felony, with security, if the said sheriffs or their deputies shall think it necessary; and that the said sheriffs and their deputies shall be obliged, on serving any criminal writ as aforesaid, to take a bail bond of the criminal, and his or her security, if security is judged necessary as aforesaid, in a sum not exceeding one hundred pounds, to be paid to the state of Maryland, conditioned, that the said criminal shall appear in court on the day the said writ is returnable, attend the court from day to day, and not depart therefrom without leave of the said court; and in case the said criminal shall not be considered by the sheriff or his deputy sufficient for the sum aforesaid, and cannot find sufficient security, to be approved of as aforesaid, that then the said sheriff or his deputy shall take the said criminal before a magistrate to be dealt with agreeable to the law now in force; and that the said sheriff shall return the said bail bonds to the court of his respective county, on the first day of the said court to which the said writ is returnable.

C H A P.
X.

III. AND BE IT ENACTED, That where there is a failure of the performance of the condition of the bail bonds aforesaid, a writ shall issue for the recovery of the penalty, and a declaration shall be filed, and a copy delivered to the sheriff, to be served on the delinquent, with the writ, who shall be obliged to go to trial the same court, provided the writ be served eight days previous to the return, and without any imparlance; and in case of the defendant refusing to plead, the court may give judgment, except in extraordinary cases, at their discretion.

In case of
failure writ to
issue, &c.

IV. AND BE IT ENACTED, That every of the sheriffs of this state, who do not pursue, by himself or his deputies, the directions of this act, by taking bail bonds of the criminal and his security, to be approved of as sufficient by the court to whom such bond shall be returned, or taking the said criminal before a magistrate, to be dealt with according to the directions of the law, shall be liable to be proceeded against in the same manner as he would have been, on his default in not bringing in the party according to his return, if this act had not been made.

Sheriffs liable
for neglect, &c.

C H A P. XI.

An ACT to extend the time and to enforce the collection of the taxes in several of the counties within this state, and for other purposes. Lib. TBH. No. 1. fol. 337.

Passed 2d of
Feb. 1781.

C H A P. XII.

An ACT to continue the acts of assembly therein mentioned. Lib. TBH. No. 1. fol. 339.

BE IT ENACTED, by the General Assembly of Maryland, That an act of assembly, entitled, An act for the relief of such persons as cannot find surety for their appearance to testify as a witness against any person arrested, accused or prosecuted, for any criminal matter, made at a session of assembly begun and held at the city of Annapolis on the third day of June, anno domini seventeen hundred and fifty-two, (a) be and is hereby continued, and shall remain and be in full force for and during the term of seven years, and to the end of the next session of assembly which shall happen after the end of the said seven years; that one other act of assembly, entitled, An act to enable the several and respective county clerks within this province to remove some of the county records and papers from the public offices, made at a session of assembly begun and held at the city of Annapolis the tenth day of May, seventeen hundred and forty-eight, (b) be and is hereby continued, and shall be and remain in full force for and during the term of seven years, and to the end of the next session of assembly which shall happen after the end of the said seven years; that one other act of assembly, entitled, An act for the more effectual punishment of negroes and other slaves, and for taking away the benefit of clergy from certain offenders, and a supplementary act to the act, entitled, An act to prevent the tumultuous meeting and other irregularities of negroes and other slaves, and directing the manner of trying slaves, made at a session of assembly begun and held at the city of Annapolis the fifteenth day of May, seventeen hundred and fifty-one, (c) be and is hereby continued, and shall be and remain in full force for and during the term of seven years, and to the end of the next session of assembly which shall happen after the end of the said seven years; that one other act of assembly, entitled, An act to make the testimony of convicted persons legal against convicted persons, made at a session of assembly begun and held at the city of Annapolis the fifteenth day of May, seventeen hundred and fifty-one, (d) be and is hereby continued, and shall be and remain in full force for and during the term of seven years, and to the end of the next session of assembly which shall happen after the end of the said seven years; that one other act of assembly, entitled, An act for the more effectual punishment of certain offenders, and for the taking from them the benefit of clergy, made at a session of assembly begun and held at the city of Annapolis the twenty-sixth day of April, in the year fe-

Several acts
continued.

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(a) 1752, ch. 13.

(b) 1748, ch. 7.

(c) 1751, ch. 14.

(d) 1751, ch. 11.