

county court ; unless for cause shown upon affidavit, the court shall otherwise order.

Appeal not to stay execution without bond.

Bond required.

To be approved. May be sued.

SEC. 11. *And be it enacted*, That no certiorari as aforesaid, shall operate as a stay to restitution of possession, or of any execution of, or under the judgment of the justices of the peace, unless the tenant, his executors or administrators, shall enter into bond with surety in form and manner, and under the regulations prescribed in cases of appeals, from judgments rendered by justices of the peace with condition to prosecute the certiorari with effect, and to answer to the landlord, his executors and administrators, all costs and damages mentioned in the judgment, and such as shall be further incurred and sustained by reason of the proceeding of said certiorari, and of the delay thence arising ; and in all other cases of certiorari upon proceedings as aforesaid, under the act to which this is a supplement, no such certiorari shall be granted, unless a bond with surety be entered into as aforesaid, and approved by the county court or a judge thereof, with condition to prosecute said certiorari with effect, and answer all costs and damages incurred by reason of the proceeding in said certiorari, and of the delay aforesaid ; and such bonds may be recovered before any justice of the peace, as small debts may be recovered before justices of the peace.

Limited to Baltimore city.

SEC. 12. *And be it enacted*, That the provisions of this act shall extend only to the city of Baltimore.

#### VAGRANTS.

AN ACT relating to Vagrants in the City of Baltimore.—1804, ch. 96.

Virtually merged in 1811, ch. 212, but revived by 1818, ch. 169, and which latter act repealed 1811, ch. 212.

Justices may cause vagrants to be arrested.

*Be it enacted, by the General Assembly of Maryland*, That it shall and may be lawful for either of the justices of the criminal court of Baltimore county to issue a warrant, directed to any constable of Baltimore county, against any person or persons, on information founded upon the oath of any competent witness, that such person or persons in the said affidavit named is a vagrant, vagabond, disorderly person or common prostitute, commanding said constable to bring the person or persons in said warrant mentioned before any justice of said court, and upon the appearance of said person or persons, he, she or they, shall enter into recognizance, with such security as the said justice shall approve, for his, her or their good behaviour for twelve months ; and in case the said person or persons cannot find security as aforesaid within three days after his, her or their appearance before the justice as aforesaid, it shall and may be lawful for the constable who served the said warrant to bring the party before any of the justices aforesaid, and upon

Take security.

Upon failing to commit him.