

where the judges shall be of opinion, from the circumstances of the case and the nature of the dispute, that it is not necessary to have the deed at length; provided that no such record entry, or copy of the same, shall be admitted in evidence, if the party against whom the same is intended to be used shall give the other party notice a term before the trial of the cause to produce the original deed, or a full copy of the same from the record.

See 1804, ch. 55; 1805, ch. 65; as to the substitution of the court of appeals for the general court.

## CHAPTER 27.

AN ACT to establish permanent salaries for the Chancellor and the Judges.

Merged as to the chancellor in 1798, ch. 86, as to the judges in 1805, ch. 86.

## CHAPTER 34.

AN ACT relating to Replevins.

Supplements, 1786, ch. 12; 1790, ch. 53.

WHEREAS, the clerks of the county courts, in several of the Preamble. counties of this state, have issued writs of replevin in cases where property hath been taken in execution for public dues and taxes, whereby the collection of the said public dues and taxes hath been much impeded, to the great injury of the state and individuals;

SEC. 2. *Be it enacted by the General Assembly of Maryland,* No writ of replevin shall issue, &c. That in every case of money, or other thing, due the public, for satisfaction of which there shall be any distress or execution of property, by any officer or person authorized by law so to do, no writ of replevin shall issue, or be maintainable in law.

By 1786, ch. 12, on a distress the party may complain to the commissioners of the tax, who may hear and adjust such complaint, and may suspend the sale of property executed for taxes; and by 1790, ch. 53, a writ of replevin in such cases may be issued on application to a magistrate, &c.

SEC. 3. *And be it enacted,* That from and after the first day of March next, every person applying for a writ of replevin to a Persons applying, to make oath, &c. clerk of the general court, or the clerk of any county court, against any collector, public officer, or person authorized by law to collect any public dues or taxes, shall, if required so to do by the clerk applied to, make oath or affirmation, as the case may require, that the property, for the delivery of which he demands the said writ of replevin, hath not been distrained or taken in execution on account of any public dues or taxes.

SEC. 4. *And be it enacted,* That if any clerk shall neglect to inquire as aforesaid, or after the party applying has refused to make such oath or affirmation shall issue a writ of replevin upon such application, such clerk shall forfeit and pay one hundred pounds current money. Penalty on clerk for neglect, &c.