

state, then this obligation to be void and of none effect, otherwise to remain in full force and virtue in law;’ which bond shall be attested by the judge or justices before whom the same shall be taken, and delivered by the said judge or justices, immediately after the execution thereof, to the clerk of the county court, to be by him recorded, and a copy thereof, certified under the seal of the court, shall be good evidence to prove the execution of such bond in any court of this state; and the clerk of the several county courts of this state are hereby required, after recording the same, to transmit an attested copy of said bond to the clerks of the general courts of the respective shores of this state, to be lodged with them for safe custody.

By 1799, ch. 91, on the death, resignation, &c. of any sheriff, the person appointed to succeed him shall give bond, in the manner prescribed by law, within sixty days from the date of his commission.

By 1805, ch. 65, sec. 13, one judge may take the sheriff’s bond.

By 1806, ch. 16, any two justices of the orphans court may do so; and by 1815, ch. 62, they may qualify the sheriff.

Clerks may  
issue execu-  
tions, &c.

SEC. 9. *And be it enacted*, That it shall and may be lawful for the clerks of the several county courts, and they are hereby authorized and required, on application of the plaintiff or plaintiffs in any judgments of their courts respectively, upon return of *nulla bona* by the sheriff or coroner on a *feri facias* issued in the county where such judgment hath been, or hereafter may be obtained, to issue executions on said judgments against the goods and chattels, lands and tenements of any defendant, lying and being in any other county than that in which such judgment was or shall be obtained, which execution shall be directed to, and served by, the sheriff or coroner, as the case may require, of the county in which such goods and chattels, lands and tenements, may be and lie, and returned to the court of the county of which he is sheriff or coroner; and it shall be sufficient for the plaintiff, to entitle himself to the benefit of such execution, to produce, before the court to which the same shall be returnable, a short copy of the judgment by him obtained, attested by the clerk of the court before which the same is had.

In certain  
suits, writs  
to be en-  
dorsed, &c.

SEC. 10. *And be it enacted*, That in every suit which shall or may hereafter be ordered or directed on any administration, testamentary, inspector’s, collector’s or sheriff’s bond, the clerk shall, and he is hereby directed, before the issuing of the writ, to endorse thereon the name or names of the party or parties at whose instance, and for whose use, the said suit was instituted; and in case the said action shall or may be struck off, discontinued or *non proessed*, or in case there be a judgment on verdict in favour of the defendant, the party or parties at whose instance the action was instituted shall be answerable for the legal costs of suit, and may be proceeded against by attachment against the