

CHAPTER 82.

AN ACT relative to Justices of the Peace and for other purposes.

See 1833, ch. 189; and see note to 1791, ch. 68; ante page 277.

Justices, in case of resignation, &c. to deliver dockets, &c. to clerk of county.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That it shall be the duty of each and every justice of the peace, in case of his resignation or removal from office, and of his executors, administrators, or other person in whose hands the same may be, in case of the death of such justice of the peace, to deliver his docket, together with all the notes, bonds, accounts and papers, in his or their possession, appertaining to judgments or suits entered thereon, to the clerk of the county in which such justice resided, within one month after such resignation, removal from office or the reception of the same, which shall be there kept as other records; and upon any application the clerk shall deliver transcripts from the docket or papers so returned to the person applying for the same, on which such process may be issued by any justice of the peace as might have been issued by the justice who may have kept such docket, and for such transcripts the clerk shall be entitled to receive the like fees as for other copies of records, under the penalty of forty dollars, to be recovered by any person who shall sue for the same, in the same manner as debts of that amount are recoverable by law.

Notice of appointments, how to be given.

SEC. 2. *And be it enacted,* That the commissions for the justices of the peace shall be forwarded by the clerk of the council to the clerks of the respective county courts, who shall immediately, on the receipt thereof, enter the same among the records of his office, and cause notice to be given to the several persons therein named of their appointment, by advertisement set up at the court-house door; and every person so appointed, and notified as aforesaid, if he accepts thereof, unless he had been included in the commission of the peace for the preceding year, and had taken the oaths, and made the declaration prescribed by law, shall qualify as such, before some person authorized by law; which qualification shall be certified by the person before whom the same shall be made, and such certificate or certificates shall be delivered to, and recorded by the clerk of the county court, in a book to be kept for that purpose.

Penalty on persons acting before having qualified.

SEC. 3. *And be it enacted,* That if any person commissioned a justice of the peace, shall act as such before he hath taken the several oaths and made the declaration required by law, and caused a certificate thereof to be delivered to the clerk of the county court as aforesaid, he shall forfeit and pay for every such offence the sum of forty dollars, to be recovered and applied as other forfeitures and penalties are directed by law.