

CHAPTER 11.

AN ACT against embezzlement of wills or records within this province.
Superseded by 1809, ch. 138, sec. 8.

CHAPTER 15.

AN ACT for the appointment of Constables, and what relates to their office,
and ascertaining what persons are taxables.

For the acts regulating their appointment, duties and responsibilities and fees, see index, word 'Constable.'

SEC. 1. Their appointment is now vested in the levy court, or county commissioners, (except for the city of Baltimore,) by 1794, ch. 53, sec. 8. Their official oath is prescribed by 1824, ch. 143, sec. 4. 1825, ch. 161, sec. 3.

SEC. 2. *And*, if the person or persons so appointed shall, before any justice of the peace, refuse to take the several oaths aforesaid, or shall refuse to provide a sufficient person to supply his place, by serving in the said office and taking the oaths aforesaid, that then such person, so refusing, shall be fined to his majesty, his heirs and successors, in the sum of five hundred pounds of tobacco, towards the defraying the public charge of that county, and that such justice of peace before whom such refusal shall be made, shall issue his warrant to the sheriff to levy the said fine by distress and sale of the goods and chattels of such person so fined as aforesaid, returning to him the overplus; which said sheriff is hereby empowered and required to levy the same accordingly, and render an account thereof to the justices of peace of that county at the time of laying the county levy.

By the act of 1752, ch. 7. sec. 2, persons so appointed shall qualify themselves by taking the said oaths within five days after notice given by the sheriff of such appointment, under the penalty in this clause mentioned.

SEC. 3. This section is superseded as the poll tax is abolished by the Bill of Rights.

SEC. 4. See the preceding note.

SEC. 5. See the preceding note.

SEC. 6. *And be it further enacted, by the authority aforesaid, by and with the advice and consent aforesaid,* That all constables within this province shall obey, and are hereby obliged to execute, all warrants and precepts to them directed from any justice or justices within this province, touching or concerning any matter, debt or demand between party and party; and such constable shall and may have, take, exact and receive from the party complaining, a fee of two shillings and sixpence current money, or thirty pounds of tobacco, for serving all the precepts relating to any one action, matter or demand, and no more.

The fees are now graduated by 1820, ch. 164—1821, ch. 162—1822, ch. 143.

SEC. 7. See note to the preceding section.

Penalty for refusing to take the oaths, &c.

Constables to obey warrants, &c.