

SEC. 5. *And be it enacted*, That the judges of the several county courts within this state, shall not hold plea in the said courts of any case within the jurisdiction given to justices of the peace by this act. County courts prohibited.

SEC. 6. *And be it enacted*, That if any person against whom a complaint is made under this act before a justice of the peace, shall appear on the return day of the warrant, and allege that he is entitled to the property on which the trespass is charged to have been committed, or that he acted under a person (named by him) claiming title to the same, and shall verify an allegation by oath or affirmation, the justice before whom the complaint aforesaid may be made, shall take no further cognizance of the same. Plea allowed.

CHAPTER 140.

AN ACT relating to the appointment of Constables in this State, and for other purposes.

See 1824, ch. 10, ante page 801 ; 1825, ch. 21 ; and 1835, ch. 201.

WHEREAS, the boundaries of hundreds throughout this state, by vacating old roads, opening new ones, and other causes, are in a great measure obliterated and forgotten ; therefore, Preamble.

SEC. 1. *Be it enacted, by the General Assembly of Maryland*, That from and after the passage of this act, the justices of the levy courts in the several counties of this state, shall at the time heretofore fixed for the appointment of constables, appoint for the several election districts in their respective counties, instead of hundreds as heretofore, as many constables as they may deem necessary, who shall, before they proceed to act in that capacity, give bond to the state in the manner now prescribed by law. Constables of election districts instead of hundreds.

SEC. 2. *And be it enacted*, That constables appointed under this act, shall have full power and authority to serve and execute civil process, and to do and perform all matters and things appertaining to the duties of their appointment throughout the county in which they shall respectively reside, in the same manner they are now authorized and required to do in their respective hundreds ; and that the responsibility of said constables and the securities on their bonds, shall be co-extensive with the authority to serve and execute process hereby given to them ; *Provided*, that nothing herein contained shall be so construed as to compel any constable to serve or execute civil process beyond the limits of the election district for which he shall be appointed. Powers, &c.

SEC. 3. *And be it enacted*, That it shall not be lawful for any justice of the peace to put into the hands of any person as constable, any precept, until such person shall produce to him a copy of his bond, given within the year, approved according to Justices forbid to employ without seeing bonds.