

every person so appointed as aforesaid, that shall not within five days after such notice qualify himself, by taking the oaths appointed by the said recited act, shall incur the penalty mentioned in the said act, to be recovered as by the same act is directed, and applied to the use therein mentioned.

SEC. 3. *And*, whereas there is no provision made by the above recited act for the appointment of constables on the death or removal of any constable, who shall die or remove before he hath served his due time in that station limited by law, or that shall refuse to qualify upon any appointment according to the directions of this and the above recited act; for remedy whereof, *Be it likewise enacted*, That where any such constable shall die, or remove out of the county in which he shall be appointed, either before or after his qualification in manner aforesaid, or that shall refuse or neglect to qualify on such appointment, in manner aforesaid, that then and in such case it shall and may be lawful for any two of the next justices of the peace in the county where such death, removal or refusal shall happen, and they are hereby required, forthwith to appoint another proper person in the said hundred to be constable in the place and stead of such constable so dead, removed or refusing, which person, by the justices aforesaid so appointed, upon their certificate of such appointment to him delivered, shall, within the time aforesaid, and according to the directions of this and the above recited act, qualify himself in the same manner and form, and be subject to the same penalties, imposed by this and the above recited act on all constables who shall be appointed at the first county courts which shall be held after Michaelmas respectively, are.

On death,
&c. justices
to appoint,
&c.

See the acts 1794, ch. 53, sec. 8; 1798, ch. 34, sec. 3.

1824, ch. 10, sec. 2, justices of the levy court may appoint in case of vacancy.

Power of appointment is vested in the levy court, 1794, ch. 53, sec. 8. In Baltimore city it is vested in the city court. In many of the counties, commissioners elected by the people have been clothed with all the powers of the levy court.

CHAPTER 8.

A SUPPLEMENTARY ACT to an act, entitled, *An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers. ^{*1715, ch. 47.}

See the original act, 1715, ch. 47, and the notes thereto.

WHEREAS by the act of assembly, entitled, An act for quieting possessions, enrolling conveyances, and securing the estates of purchasers, or by any other law of this province, there is not any express provision made how or in what manner the acknowledgment of any feme covert named as a grantor, bargainor or donor, in such deed indented, or mentioned in the said act for the conveying lands, tenements, or hereditaments, Preamble-