

passage of the said act, suffered by the depredations of the enemy, upon their representing their cases, on oath or affirmation. And the lieutenants are directed to transmit fair accounts of all such deductions to the governor and council.

C H A P. IX.

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An ACT to enable the sheriffs of this state to take bail bonds in certain cases.

WHEREAS the sheriffs of this state have not heretofore been empowered to take bail bonds of persons taken on criminal writs, whereby much inconvenience is derived to the sheriffs, much trouble to the civil magistrate, and much delay to the administration of justice :

Preamble.

II. Be it therefore enacted, by the general assembly of Maryland, That from and after the first day of April next, it shall and may be lawful for all and every of the sheriffs of this state, and their deputies, to take bail bonds of all persons taken by them on any criminal writ, for any offence less than felony, with security, if the said sheriffs or their deputies shall think it necessary ; and that the said sheriffs and their deputies shall be obliged, on serving any criminal writ as aforesaid, to take a bail bond of the criminal, and his or her security, if security is judged necessary as aforesaid, in a sum not exceeding one hundred pounds, to be paid to the state of Maryland, conditioned, that the said criminal shall appear in court on the day the said writ is returnable, attend the court from day to day, and not depart therefrom without leave of the said court ; and in case the said criminal shall not be considered by the sheriff or his deputy sufficient for the sum aforesaid, and cannot find sufficient security, to be approved of as aforesaid, that then the said sheriff or his deputy shall take the said criminal before a magistrate to be dealt with agreeable to the law now in force ; and that the said sheriff shall return the said bail bonds to the court of his respective county, on the first day of the said court to which the said writ is returnable.

Sheriffs may take bail bonds, &c.

III. And be it enacted, That where there is a failure of the performance of the condition of the bail bonds aforesaid, a writ shall issue for the recovery of the penalty, and a declaration shall be filed and a copy delivered to the sheriff, to be served on the delinquent, with the writ, who shall be obliged to go to trial the same court, provided the writ be served eight days previous to the return, and without any imparlance ; and in case of the defendant refusing to plead, the court may give judgment, except in extraordinary cases, at their discretion.

In case of failure writ to issue, &c.

IV. And be it enacted, That every of the sheriffs of this state, who do not pursue, by himself or his deputies, the directions of this act, by taking bail bonds of the criminal and his security, to be approved of as sufficient by the court to whom such bond shall be returned, or taking the said criminal before a magistrate, to be dealt with according to the directions of the law, shall be liable to be proceeded against in the same manner as he would have been, on his default in not bringing in the party according to his return, if this act had not been made.

Sheriffs not pursuing the directions of this act liable to be proceeded against, &c.

C H A P. XI.

An ACT to extend the time and to enforce the collection of the taxes in several of the counties within this state, and for other purposes.

The £. 5 and £. 20 taxes are consolidated, and the proceedings of the commissioners, assessors and collectors, who had proceeded to act before they received the acts of assembly respecting their duty, are made good, although not performed at the appointed times.

C H A P. XII.

An ACT to continue the acts of assembly therein mentioned.

C H A P. XIII.

An ACT for the relief of John Needles of Talbot county, and Richard Clarke of Saint-Mary's county, collectors of the tax.

C H A P. XIV.

An ACT to prohibit the exportation of Indian corn, wheat, wheat flour, and flesh provisions, by land, for a limited time.

To continue until the 1st of February next ; but by the act of this session, ch. 35, the prohibition is continued, except with respect to Indian corn, until the 1st of April. Expired.