

CHAP. 254. the duty of the justice taking the said appeal bond, immediately to lodge the same with the clerk of the county court of his county, that suit or suits may be brought by the Attorney General or his deputies, in case of a forfeiture of the same for the use of the state, which suit or suits may be prosecuted, on a certified copy thereof, under the hand and seal of the said clerk, in any of the courts of this state.

Sell the boat, &c

Sec. 5. And be it enacted, That if within ten days from the rendition of the judgment, no appeal bond is accepted by the justice of the peace, to arrest further proceedings on the said judgment, it shall be the duty of the sheriff, after having given ten days notice by public advertisement, to sell to the best advantage for cash, for the benefit of the state, the boat or vessel in his possession, together with the papers, furniture, tackel and apparel, and if necessary, to make said sale by notice, in the city of Baltimore, or elsewhere, and he is hereby directed to account with the treasurer of his shore, for the proceeds of such sale, in the same manner he accounts for fines and forfeitures, and under the same responsibility, stating an account on oath, with the said treasurer, of all expences necessarily incurred by him in the seizure, disposition, and sale of the said property, and paying the balance that remains to the said treasurer, upon which balance, the treasurer is authorised to allow him a compensation of ten per centum, for his trouble for conducting the said business, and the said treasurer is further authorised and required to pay over the then remaining balance to the commissioners of the school fund, or to any other officers appointed by law, or hereafter to be appointed, or to their order, to be by them paid over in equal proportion [to the trustees of the common schools, that may be in operation*] in the county, where the offender shall be arrested and convicted, for the use of said schools.

Account on oath

Pay treasurer

Who shall pay to the school funds of the county

Posse authorised—
press steam boat

Sec. 6. And be it enacted, That if resistance be apprehended by the sheriff, engaged in the execution of this law, he shall summon to his aid, the *posse comitatus* of his county, armed and equipped as the occasion may require, and shall press into his service any Steamboat, not actually engaged in conveying the Public Mail, or other vessel whatever, at the risk and expense of the state, and proceed therewith without delay, to perform his duty, and if resistance be made to the sheriff by the boatmen of the boat, or vessel, or others in seizing the same, taking such boatmen,

Resistance a misdemeanor

* These words in the original, but not in the engrossed bill.—Printer.