

person applying for the same, upon being paid the usual fees for transcribing such paper or record, and shall annex thereto his certificate, under the seal of his court, if required; he shall make proper entries of all the proceedings in the court of which he is clerk; and all entries and records shall be made in a fair, legible hand, or with a typewriting machine, such machine to be approved by the judges of the circuit court for the respective counties or the supreme bench of Baltimore city, as the case may be, in well bound books procured by him for that purpose; and he shall perform all the duties required of him, or which may hereafter be required of him, by law.

Court records are public property, and if lost the state must supply the defect, and hence, may put the clerk's bond in suit. *State v. Wayman*, 2 G. & J. 282.

The copies must be obtained through the clerk, and upon payment of the fees prescribed by law. *Belt v. Prince George's County Abstract Co.*, 73 Md. 291.

Under the act of 1817, ch. 119, the clerk was not required to make up a formal record: the docket entries and files of the court standing in the place of such record. Proof of docket entries. *Philadelphia, etc., R. R. Co. v. Howard*, 13 How. 307.

1904, art. 17, sec. 2. 1888, art. 17, sec. 2. 1886, ch. 322.

2. It shall be the duty of the clerks of the several courts of equity of this State to provide a well-bound and suitable book, to be styled "the claims docket," in which, in all cases of voluntary trusts, or under decrees for payment of debts, or in other cases in which creditors may prove their claims in said court, shall be entered in alphabetical order, the names of the creditors, the character and amount of their claims, and the date when proven.

*Ibid.* sec. 3. 1890, ch. 383, sec. 2 A.

3. Whenever any auditor's report of distribution of the proceeds of sale of real or personal property shall have been ratified by any of the courts of this State, such audit and ratification shall be forthwith recorded by the clerk of said court in a book or books provided for that purpose, the cost of said record to be taxed in the costs of the case, and a certified copy of said record shall be evidence. This section shall not apply to Somerset, Baltimore or Calvert counties.

*Ibid.* sec. 4. 1888, art. 17, sec. 3. 1860, art. 18, sec. 2. 1748, ch. 7, sec. 3.

4. Every clerk shall attend at his office for the transaction of the business thereof every day, except Sundays, either in person or by deputy, unless prevented by sickness, accident or necessity.

The law does not contemplate that the clerk shall be constantly present in person at his office. *Harris v. Register*, 70 Md. 123.

*Ibid.* sec. 5. 1888, art. 17, sec. 4. 1860, art. 18, sec. 3. 1715, ch. 48, sec. 11.

5. No clerk of any court of this State shall deliver to any attorney, sheriff or other person any blank writ whatsoever; and any clerk so offending shall be subject to a penalty of one hundred dollars.

As to how the clerk is to issue writs to other counties, and his duties relative to the same, see art. 75, sec. 161, *et seq.*