

time before the session of the court to which such process shall be returnable, a certificate under his hand and seal of office, setting forth the receipt of such process (which he shall describe in the manner in which it is written in the letter or cover which contained the same) the time when he received the same and delivery thereof to the officer to whom it was directed, and the time of such delivery, which certificate he shall seal up and address to the clerk of the court to which the process is made returnable and deposit it in the nearest postoffice to be conveyed to such clerk, endorsing his name thereon as hereinbefore directed, and such certificate in all proceedings relating to the sheriff or other officer to whom any such writ or process was directed shall be competent and sufficient evidence to prove the delivery of such process to such officer; the provisions of this and the preceding section to apply to writs of *feri facias* and attachments sent from one county to another.

An. Code, sec. 164. 1904, sec. 158. 1888, sec. 146. 1817, ch. 139, sec. 5.

174. Every clerk who shall neglect or delay to perform the duties required by the three preceding sections shall forfeit and pay a sum not exceeding fifty dollars for every refusal or neglect, for the use of the State.

An. Code, sec. 165. 1904, sec. 159. 1888, sec. 147. 1817, ch. 139, sec. 4.

175. The expense of postage incurred by the respective clerks, and a reasonable compensation for their services in the transmission, delivery and receipt of process from one county to another shall be allowed to them by the county commissioners of their respective counties, and mayor and city council of Baltimore.

An. Code, sec. 166. 1904, sec. 160. 1888, sec. 148. 1817, ch. 139.

176. Any process directed to another county instead of being sent by mail, as hereinbefore directed, may be sent by any person, and upon proof of the delivery of the same to the sheriff or other officer to the satisfaction of the court from which the same was issued, such delivery shall have the same effect to charge the sheriff or other officer as if delivered under the provisions of the preceding sections.

An. Code, sec. 167. 1904, sec. 161. 1888, sec. 149. 1841, ch. 109.

177. In all cases where there is no coroner in a county, the plaintiff may file his declaration against the sheriff and his securities, or against the person who is for the time the sheriff, when the suit is against him or his individual account, and have a copy thereof set up at the court-house door at least ten days before the sitting of the court in which the suit is brought, and if no appearance by the defendant before the first three days of the term be made, judgment shall be entered up against them; provided, that the plaintiff shall make affidavit of the truth of the demand; and if the State shall be plaintiff in its own right, then a statement of the comptroller in his own handwriting shall be evidence of the amount due the State; but no execution shall issue on such judgment until twelve months after said third day of the term.