

## ARTICLE 17.

### CLERKS OF COURTS.<sup>1</sup>

#### General Duties of Clerks.

1. Custody of records and papers. General duties of. Records may be made by hand or type-writing machines.
2. Claims docket.
3. Conditional contracts of sale, record of.
4. Auditor's report distributing proceeds of sale of real or personal property to be recorded. Section not applicable to Somerset, Baltimore or Calvert counties.
5. Attendance at office.
6. No blank writs to be delivered.
7. Disposition of books and documents sent.
8. To issue execution.
9. U. S. internal revenue tax liens, record and index of.
10. Statement to comptroller of executions for penalties.
11. Payment of public money to treasurer.
12. Commissions on collections.
13. Emoluments.
14. Fees and compensation in Baltimore city.
15. Annual statement to comptroller of receipts and expenses.
16. Penalty for false swearing to same.
17. Liability of bond.
18. Compensation of assistant clerks.
19. Satisfaction of judgments; how entered.
20. On dockets of justices of the peace.
21. Dockets and docket entries.
22. Docket entries of executions.
23. Record of cases affecting real estate.
24. Proceedings to be recorded whenever requested by party in interest upon payment of cost of recording, even though title to land be not involved.
25. Penalty for neglect to keep such dockets and records.
26. Record of proceedings of sale of property.
27. Record of decrees for divorce.
28. Docket and index of judgments and decrees of U. S. courts.
29. Copy of record; how made.
30. Entry of appeals.
31. Approval of bonds.
32. *Supersedeas* of judgments; power to take.
33. Sureties upon *supersedeas*.
34. Justices in Baltimore city not to take *supersedeas*.
35. Orders *nisi* on auditors' accounts.
36. Orders *nisi* on sales.
37. Commissions to take testimony.
38. Orders of publication.
39. Official bond.

<sup>1</sup> Secs. 1 to 46 of art. 17 are included under the head, "General Duties of Clerks." These sections, while enumerating many specific duties of clerks, no where expressly declare it to be the duty of the clerk to pay his deputies their salaries. The only express reference in these sections to the liability of the clerk's bond, is found in secs. 11 and 17. State use *Smith v. Turner*, 101 Md. 589. (See sec. 51.)

As to process, see art. 75, sec. 153, *et seq.*

As to duties of clerks in making up the record on appeal, see art. 5, sec. 38.

As to duty of clerks to furnish attorneys access to records, see art. 10, sec. 8.

Clerks may not practice law while holding office—art. 10, sec. 17.

As to the completion of unfinished business by retiring and incoming clerks, see art. 36, secs. 8 and 9.

As to the taking of the oath by clerks, see art. 70, sec. 4; see also art. 70, secs. 12 and 13.

As to powers of clerks of circuit courts in insolvency cases, see art. 47, sec. 18.

See art. 4, secs. 10, 17, 25, 26, 37 and 38 of the Md. Constitution.