

This section does not mean that a constable's bond is liable if he acts without a warrant, or, what is the same thing, when the warrant is void. *State v. Timmons*, 90 Md. 13.

Cited but not construed in *Giles v. Ebsworth*, 10 Md. 345.  
See notes to sec. 4.

An. Code, sec. 11. 1904, sec. 11. 1888, sec. 11. 1809, ch. 177, sec. 4.

11. Whenever any evidences of debt are put into the hands of a constable for collection, he shall execute a receipt for the same, if demanded, and upon his neglect or refusal to do so he shall forfeit the sum of five dollars, to be recovered before a justice by the party grieved.

An. Code, sec. 12. 1904, sec. 12. 1888, sec. 14. 1849, ch. 491.

12. If any constable to whom any execution has issued from any justice of the peace shall die without having made any levy thereunder, the securities of said constable on the bond which would be liable under the said execution may return the said execution to the justice issuing the same, or any other justice of the peace of the same county, if the justice issuing the same shall have died or is not in office, with the endorsement of the fact thereon; and the justice to whom such execution shall be returned shall have power to issue another execution upon being furnished with a copy of the judgment upon which the execution was issued, if he is not the justice who rendered the judgment.

An. Code, sec. 13. 1904, sec. 13. 1888, sec. 15. 1845, ch. 379, secs. 1, 2.

13. If the constable shall die after having taken in execution any chattels, before making sale thereof, his security or other person interested in behalf of said deceased constable, or the plaintiff, or any person interested on behalf of the plaintiff, may have a new writ of *feri facias* or *venditioni exponas*, as the case may require, issued by the same or some other justice of the county, directed to any constable of the county; and under such new writ the constable shall seize and take, and sell and convey the property taken in execution by the deceased constable, in the same manner as the deceased constable might have done if he had lived.

An. Code, sec. 14. 1904, sec. 14. 1888, sec. 16. 1845, ch. 379, sec. 5.

14. If a constable shall die without having made sale of property taken in execution, his executor or administrator shall not receive more than one-half the usual poundage fees, and the constable who makes sale of such goods shall not receive more than one-half the usual poundage fees.

As to the fees chargeable by a constable, see art. 36, secs. 15, 16 and 18.

### Suits on Bond and Remedies Against.

An. Code, sec. 15. 1904, sec. 15. 1888, sec. 18. 1825, ch. 198, sec. 1.

15. Where a constable is defaulted for any sum or sums of money, or has collected any sums of money, and refuses or neglects to pay the same to the person entitled thereto, and the sum does not exceed one hundred dollars, the person to whom the same is due may apply to any justice of the county or city, who shall issue his summons against the constable and his