

securities, in the usual form, and upon trial, may give judgment for the amount due and costs against the constable and his securities in the same manner as if the securities were bound in a joint and several note with the constable, from which judgment there shall be the same right of appeal and *supersedeas* as in other cases.

An. Code, sec. 16. 1904, sec. 16. 1888, sec. 19. 1825, ch. 198, sec. 3.

16. A certificate from the clerk of the circuit court for the county, or the superior court of Baltimore city, stating who are the securities of a constable, and the time when they became such shall be sufficient evidence of the fact; and it shall not be necessary to produce a full copy of the bond.

An. Code, sec. 17. 1904, sec. 17. 1888, sec. 20. 1842, ch. 283, sec. 1.

17. In all suits by a creditor upon the bond of a constable for any neglect of duty, or default in not prosecuting and recovering money upon any claim placed in his hands for collection according to law, or for a breach of duty in not paying over money collected by him upon any such claim, the receipt of such constable to the creditor or his agent for the claim for collection, or proof that he received it for collection according to law shall be sufficient *prima facie* evidence to entitle the plaintiff to recover in such suit, unless the defendant shall prove that the constable has discharged his duty in such case according to law.

This section does not contemplate the constable or his bond being liable for the action of the justice in taking an invalid *supersedeas*. *State v. Turner*, 16 Md. 515.

The constable's receipt is *prima facie* evidence of the validity of the plaintiff's claim. *Burtles v. State*, 4 Md. 279.

An. Code, sec. 18. 1904, sec. 18. 1888, sec. 21. 1842, ch. 283, sec. 2.

18. The bond of the constable, which shall be in force at the time he shall receive claims for collection; shall be liable to be sued and recovered upon, in cases under the preceding section, unless it shall appear in proof that after using reasonable diligence he was prevented from recovering the money from the defendant by a *supersedeas* of the judgment recovered against him, or an injunction or *certiorari*, or unless the powers of the constable shall cease before he could, by execution and the use of proper diligence, recover such claim.

An. Code, sec. 19. 1904, sec. 19. 1888, sec. 22. 1842, ch. 283, sec. 3.

19. The preceding section shall not preclude any creditor from instituting suit upon any other bond of the constable, if neglect, default or breach of duty shall arise during the term of office of the constable under such bond.

An. Code, sec. 20. 1904, sec. 20. 1888, sec. 23. 1820, ch. 185, sec. 1.

20. Where any constable shall receive money and shall fail to pay the same to the party to whom the same is due, or to his executors, administrators or assigns, any justice, on application of the party, his executors, administrators or assigns, may issue a summons against the constable for the