

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.

An. Code, 1924, sec. 178. 1912, sec. 168. 1904, sec. 162. 1888, sec. 150. 1794, ch. 54, sec. 5. 1843, ch. 271.

**178.** When the sheriff is a party to or interested in any suit or proceeding in any court so as to be disqualified from serving process, and there is no coroner duly qualified to serve such process, the judge of the court in which such suit or proceeding is to be instituted or is pending shall, on application of any party interested, supported by affidavit or other proof of such disqualification, appoint an elisor to serve any process in such suit or proceeding, which appointment shall be in writing, signed by the judge and filed with the clerk issuing the process, and may be made either in court or during the recess.

The design of this section is that the judge should be satisfied of truth of allegation that sheriff could not safely be trusted to serve process. The affidavit may be made by a party to suit. *Penn v. Isherwood*, 5 Gill, 214.

An. Code, 1924, sec. 179. 1912, sec. 169. 1904, sec. 163. 1888, sec. 151. 1843, ch. 271.

**179.** Every elisor appointed as aforesaid shall have the same power to serve any writ or process directed to him as the sheriff has to serve similar process, and shall be entitled to the same fees therefor.

An. Code, 1924, sec. 180. 1912, sec. 170. 1904, sec. 164. 1888, sec. 152. 1794, ch. 54, sec. 6.

**180.** If any elisor dies or refuses to act, the judge may appoint another in his place.

An. Code, 1924, sec. 181. 1912, sec. 171. 1904, sec. 165. 1888, sec. 153. 1852, ch. 50. 1852, ch. 169. 1852, ch. 357.

**181.** The city of Baltimore shall be regarded as a county, so far as relates to the sending of process of any kind from one county to another; and each of its courts within its respective jurisdiction shall have all the powers of the circuit court for a county in relation to such process, but all executions or attachments on judgments or decrees sent from another county shall be made returnable to the superior court of said city.

See sec. 171.

See art. 1, sec. 14.

An. Code, 1924, sec. 182. 1912, sec. 172. 1904, sec. 166. 1888, sec. 154. 1861, ch. 69.

**182.** In all cases of civil process at law or in equity, or of any civil writ whatsoever, issued out of any court, or by any judge of this State, and directed to or against, or lawfully to be served upon any person whatsoever, wherein the service of such writ or process upon such person then being within the local jurisdiction of such court or judge, shall be prevented or resisted by threats, violence, intimidation or superior force on the part or behalf of such person; or when the said person so liable to be served with such writ or process shall be within any fortress, or fortified place or building, or at any military post within said jurisdiction, and