

An. Code, 1924, sec. 10. 1912, sec. 10. 1904, sec. 10. 1888, sec. 10. 1793, ch. 60, sec. 2.

10. The court in imposing such amercements shall govern themselves by such principles as under all circumstances shall appear to them to be reasonable, taking care to keep the State and county or city of Baltimore indemnified from all costs and charges.

An. Code, 1924, sec. 11. 1912, sec. 11. 1904, sec. 11. 1888, sec. 11. 1794, ch. 54, sec. 2.

11. If any sheriff shall fail to return an original writ within the time limited by rule of court for that purpose, the court, on motion, shall amerce the sheriff to the amount of the debt or damages and costs due from the defendant, to be ascertained by the oath of the plaintiff, his agent or attorney, and such other proof as the court may require, and shall enter judgment *nisi* the second day of the next term thereafter for the amount of the amercement aforesaid, in the name of the plaintiff, against such sheriff; which judgment shall have the same effect as if rendered upon verdict.

See notes to sec. 12.

An. Code, 1924, sec. 12. 1912, sec. 12. 1904, sec. 12. 1888, sec. 12. 1794, ch. 54, sec. 1.

12. If any sheriff shall fail to make return of a writ of execution within the time limited by rule of court for that purpose, the court may cause judgment to be entered in the name of the plaintiff against such sheriff for the amount of the judgment recited in such execution, which judgment shall have the same effect as a judgment rendered on verdict.

A judgment by default under this section is equally as valid as a judgment on verdict. The fact that debtor (against whom the sheriff fails to make return on execution) has secured an injunction against creditor from proceeding on his judgment does not *per se* entitle sheriff to same relief as to judgment against him under this section. When judgment against sheriff will be arrested. *Fowler v. Lee*, 10 G. & J. 360.

Unless there is an affidavit that execution has been delivered to sheriff, or that a copy of rule on sheriff to return it has been served upon him, court cannot enter judgment against sheriff. *Cadwallader v. Ringgold*, 4 H. & J. 564.

See art. 83, sec. 1, *et seq.*

An. Code, 1924, sec. 13. 1912, sec. 13. 1904, sec. 13. 1888, sec. 13. 1794, ch. 54, sec. 4.

13. The court, on motion, shall order a sheriff to make return of any original writ or writ of execution, unless such sheriff shall satisfy the court by his oath or otherwise that the said writ was not received by him or, to his knowledge, by any of his deputies.

An. Code, 1924, sec. 14. 1912, sec. 14. 1904, sec. 14. 1888, sec. 14. 1794, ch. 54, sec. 3.

14. If a sheriff shall pay to the plaintiff any judgment rendered against him as aforesaid, he shall thereupon be entitled to the original cause of action or the judgment as fully as the plaintiff was and may issue any execution in his own name, or in the name of the plaintiff, on such judgment for his own use; or prosecute such action to judgment and execution for his own use, and shall be entitled to every other benefit and advantage from such judgment or cause of action and suit thereon depending that the original plaintiff might have had thereon.

An. Code, 1924, sec. 15. 1912, sec. 15. 1904, sec. 15. 1888, sec. 15. 1868, ch. 203.

15. If any sheriff shall make return to the court of any *fieri facias*, attachment, or *venditioni exponas* that he has seized the property of the defendant which remains unsold, or that the property heretofore levied