

duty of the sheriff to execute every such sentence of death in as private a manner as possible and to exclude from the view thereof all persons except his deputies, the spiritual advisers of the criminal, the legal counsel who defended him, his or her relatives (not more remote than the second degree of either affinity or consanguinity), and such other persons, not exceeding twenty, as he may appoint to witness the same; and the said sheriff shall notify the physician of the jail, if there be any, or if there be no such physician or he refuse to attend the execution, then said sheriff shall procure some other physician of good standing to attend and furnish him a certificate that the execution was properly performed, and for said service said physician shall receive the sum of fifteen dollars, to be paid by the county or Baltimore City where said execution takes place (as the case may be); and said sheriff shall return the execution of the sentence under said warrant, verified by his oath, to the court which sentenced said prisoner, together with said physician's certificate, which, with said return shall be recorded by the clerk among the proceedings in the case.

See art. 27, secs. 483-492 providing that execution is to take place in Md. penitentiary.

Removal of Convicts to the Penitentiary.

An. Code, 1924, sec. 28. 1912, sec. 29. 1904, sec. 29. 1888, sec. 28. 1809, ch. 133, sec. 27.

28. Every person convicted in any court of this State and sentenced to undergo a confinement in the penitentiary shall, as soon as possible after conviction, be safely removed by the sheriff of the county where such conviction took place and at the expense of such county to the penitentiary; and every sheriff failing to comply with the provisions of this section shall forfeit one thousand dollars.

A reasonable time must be allowed for the removal of convicts to the penitentiary. *Clifford v. State*, 30 Md. 576.

Cited but not construed in *Negro Hammond v. State*, 14 Md. 148; *Price v. State*, 8 Gill, 312.

Collection of Officers' Fees.

An. Code, 1924, sec. 29. 1912, sec. 30. 1904, sec. 30. 1888, sec. 29. 1861, ch. 53. 1882, ch. 64.

29. The sheriff shall collect all fees due to the following officers which may be placed in his hands for collection between the first day of January and the first day of May in each year, namely: attorneys, clerks of all the courts, commissioner of the land office, coroners, criers, registers of wills, surveyors and sheriffs. This section shall not apply to Baltimore City or Harford County.

Poundage fees due the sheriff may, after the return of writ, be collected as other officers' fees under act of 1779, ch. 25, and its supplement. Officers' fees need not be put out for collection at any particular time. *Hall v. Belt*, 8 G. & J. 477. (See art. 36, sec. 30.)

As to extension of time for collection of fees, see art. 26, sec. 76, *et seq.*

An. Code, 1924, sec. 30. 1912, sec. 31. 1904, sec. 31. 1888, sec. 30. 1861, ch. 53.

30. He may distrain or execute the goods and chattels of any person against whom any fees are placed in his hands for collection; provided he has sixty days previously delivered to such person or left at his place of abode an account of such fees,