

law in such case made and provided, then the above obligation to be void and of none effect, or else to remain in full force and virtue in law."

Court records being public property, the state is bound to supply them if lost, and in such event may hold clerk's bond liable. *State v. Wayman*, 2 G. & J. 282.

Cited but not construed in *Belt v. Prince George's County Abstract Co.*, 73 Md. 292; *Dowling v. Smith*, 9 Md. 267.

See secs. 18, 24 and 46.

As to suits on the bond of court clerks, see art. 75, secs. 20, 21 and 108.

Re. counter security upon application of sureties on clerk's bonds, see art. 90, sec. 5.

An. Code, 1924, sec. 53: 1912, sec. 49. 1904, sec. 48. 1888, sec. 45. 1823, ch. 195, sec. 1. 1840, ch. 52. 1916, ch. 323.

59. The said bond shall be recorded in the office of the court of which he is clerk and shall be renewed every second year during the first four days of the Fall term of said court, provided, however, that if the surety upon said bond be an approved surety company said bond may be for the full term of said clerk, and an annual receipt showing payment of premium, executed by such surety company, shall be filed by the clerk with the approval of the court endorsed thereon, which receipt shall be recorded in like manner as the original bond; and where the Circuit Court for any county is held in December, such court shall be deemed a Fall term within the meaning of this Section.

An. Code, 1924, sec. 54. 1912, sec. 50. 1904, sec. 49. 1888, sec. 46. 1823, ch. 195, sec. 2.

60. On default of any clerk to execute the bond required by the two preceding sections, within the time therein prescribed, such defaulter shall be subject to a penalty of one thousand dollars, to be recovered by indictment in the name of the State, in the circuit court for the county in which he shall reside.

An. Code, 1924, sec. 55. 1912, sec. 51. 1904, sec. 50. 1888, sec. 47. 1823, ch. 195, sec. 3.

61. It shall be the duty of each clerk to transmit to the comptroller, on the first day of January next after the execution of said bond, a certified copy thereof.

An. Code, 1924, sec. 56. 1912, sec. 52. 1904, sec. 51. 1888, sec. 48. 1874, ch. 483, sec. 140.

62. The clerks of the circuit courts for the several counties, shall pay to the treasurer one hundred dollars each, when they take the oath of office.

An. Code, 1924, sec. 57. 1912, sec. 53. 1904, sec. 52. 1888, sec. 49. 1858, ch. 363, sec. 1.

63. In the absence of the judges of the court on occasion of sickness at any regular or adjourned term of the court, they shall call over the civil appearance docket, take the returns of the sheriff, and enter the appearance of the defendants when required, either in person or by attorney.

An. Code, 1924, sec. 58. 1912, sec. 54. 1904, sec. 53. 1888, sec. 50. 1858, ch. 363, sec. 2.

64. At any regular or adjourned term of the court, in the absence of the judges, by consent of parties in person or by attorney, they may enter up judgments on the trial, appeal, reference and appearance dockets, in the same manner as if one of the judges was present; and the same shall be as effectual as if the judge was in court.

This section referred to in construing art. 26, sec. 42. *Frostburg v. Tiddy*, 63 Md. 518.