

## ARTICLE 20.

### CONSTABLES.<sup>1</sup>

#### Qualification.

1. Declaration of belief and oath.
2. Official bond.
3. Additional, when to be appointed.

#### Execution of Process and Collection of Debts.

4. To execute civil and criminal process from justices of the peace.
5. Penalty for neglect so to do.
6. To levy executions.
7. Authority within district; liability of bond.
8. Penalty for neglect to return execution.
9. Remedy over by constable.
10. To serve distress.
11. Receipt for claims for collection.
12. Death of constable before making levy.
13. Death before making sale.
14. Poundage fees in this case.

#### Suits on Bond and Remedies Against.

15. Bond of defaulting constable may be sued.

16. Certificate of clerk as to securities.
17. Constable's receipt of claim *prima facie* evidence against him.
18. Defenses of constable.
19. Suit on other bonds of constable.
20. Suit against constable for money collected.
21. Execution without *supersedeas* on judgments against.

#### Police Duties of Constables.

22. They shall be sworn to grand jury.
23. Shall visit suspected gambling places.
24. They shall arrest parties vending goods from place to place without license.
25. Shall inform against non-residents retailing spirituous liquors.
26. May, upon complaint, inspect retailers' measures.
27. Shall deliver to sheriff persons committed to their custody.

### Qualifications.

An. Code, 1924, sec. 1. 1912, sec. 1. 1904, sec. 1. 1888, sec. 1. 1852, ch. 172, sec. 5.  
1854, ch. 18, sec. 9.

1. Every constable appointed shall, within thirty days after his appointment, make the declaration of religious belief and take and subscribe the oath prescribed by the constitution.

A person appointed constable who neglects to take the oath within thirty days after his appointment must be held to have refused the office. This section is mandatory. This section construed in connection with art. 1, sec. 7, of the Constitution, and art. 70, sec. 11, of the Code; the latter section in so far as it conflicts with this section does not apply to constables. *Little v. Schul*, 118 Md. 465.

An. Code, 1924, sec. 2. 1912, sec. 2. 1904, sec. 2. 1888, sec. 2. 1809, ch. 117, secs. 2, 3.  
1835, ch. 201, sec. 16. 1835, ch. 342. 1854, ch. 148.

2. Every constable shall also, before he acts as such, give bond to the State of Maryland, with good and sufficient security, to be approved by the county commissioners of the county, or the judge of the superior court of Baltimore City, in the penalty of two thousand dollars, conditioned "that the said constable shall well and faithfully execute the said office in all things appertaining thereto, and shall also well and truly account for all moneys placed in his hands for collection, or received by him on judgments,

<sup>1</sup> No constable may purchase any debt held by or due to a resident of his county or city—art. 69, sec. 10.

See art. 4, secs. 42 and 43, of Md. Constitution.