ARTICLE XVIII.

Clerks of Courts.

Chapter 5 amends section 5, as follows:

SEC. 1. The clerk of any of the courts of this State may issue an execution on judgment or decree directed to the sheriff of another county, whether a return of *nulla bona* to a writ of execution issued to the sheriff of the county or city, wherein the said judgment or decree was rendered, has been made or not, which writ of execution issued and directed to the sheriff of another county, shall be made returnable to the Circuit Court of the county to which it may be sent, and if sent to the City of Baltimore, returnable to the Superior Court of said city; and there shall be sent therewith by the clerk issuing the same, to the clerk of the court to which said writ shall be returnable, a copy of the docket entries in the case upon which the court may proceed on said execution by renewal or otherwise, in the same manner as if said execution had issued on a judgment or decree rendered in said court, and attachments on judgments or decrees, shall be regarded as executions in the meaning of this section; *provided, nevertheless*, that no execution or attachment on judgment shall be issued and directed to another county earlier than the same could be issued and directed to the sheriff of the county or city wherein the same may have been rendered, and if there has been no return of *nulla bona* until the plaintiff or plaintiffs, or his or their attorney of record shall make and file with the clerk issuing the same, an affidavit that he or they are unable to discover in the county or city where the judgment or decree has been obtained property from which the same can be realized: *and, provided further*, that no judgment or decree shall be a lien upon real estate situated in another county from that wherein the said judgment or decree was obtained, or in the city of Baltimore, except from the date of the entry of the copy of the docket entries by the clerk of the court to which the said writ shall be returnable.

Passed January 30, 1865. See ch. 5, under Art. X.