

governor of the State, whose duty it shall be at once to require the attorney-general to institute the proper proceedings to vacate the office of said sheriff, and upon said vacation, to appoint a successor until the next general election. If the bond hereinbefore required should be filed within the ninety days hereinbefore named, but subsequent to the first day of January in any year, it shall, in addition to the provisions hereinbefore required, be so conditioned as to make the obligors in such bond responsible also for all official acts of said sheriff, committed or done by him from the said first day of January up to the date of the filing of the said bond, as well as thereafter.

Condition in
bond filed after
1st January

Art 88, s 5
1797, c 87, s 2,
1848, c 275,
1852, c 172
Oath to be
taken before
acting as sheriff

5. Before acting as sheriff, he shall also, under the penalty of fifty dollars, take the following oath: "I, A. B., do swear, that in the summoning of jurors for any purpose, I will use my utmost diligence to summon and return as jurors, sober, intelligent, and judicious persons, of good reputation and character for honesty and impartiality, to serve as jurors; and that I will not summon (or permit any officer under me to summon), any juror, who in my judgment will be influenced in determining any of the matters which shall come before him as a juror, by hatred, malice, or ill will, fear, favor, or affection, or by any partiality whatever, and that I will not summon or return as a juror any person who, in my opinion, or to my knowledge, may have solicited so to be returned on the panel of jurors, or may have been recommended or requested to be returned by another person." The above oath shall be taken before the clerk, and be by him recorded.

Before whom
taken

Id s 6.
1838, c 275, s 1,
1839, c 25
Oath to be
taken on return
of jurors

6. On the return of jurors to each term of the court to which the same may be returned, the sheriff shall take in open court an oath, in the precise form of the oath prescribed in the preceding section, except substituting the words "I have not summoned" for "I will not."

Id s 7.
1839, c 25
Before whom
oath may be
taken

7. The oath mentioned in the last preceding section may be made by the sheriff before the clerk at the time he makes his return of jurors, instead of making it in open court, in cases where the sheriff cannot possibly attend the court by reason of sickness or other causes, and in no other cases.

Art 88, s 8
1785, c 72, s 23,
1794, c 54, s 1,
1798, c. 101,
sub-c 15, s 13,
1801, c. 62,
1817, c 149, s. 6
Writs and process
to be directed to sheriff

SERVING PROCESS.

8. All writs and process shall be directed to the sheriff, unless he is disqualified, or unless where by law the writ or process may be directed to another officer

Id s 9
1817, c 139, s. 6
Service and
return
82 Md 297, 38

9. He shall serve and return all writs and processes directed to him, according to the command contained therein.

Id s 10
1811, c 161, s 2
Second arrest
2 Gill 62.

10. He may re-arrest any person that he has before arrested on a *capias* or attachment, and permitted to go at large; and such second arrest shall be as available as if the party had been detained under the first; *provided*, such second arrest be made before or during the session of the court to which the writ is returnable.