

## SERVING PROCESS, WHEN RESISTED.

**11.** In all cases of civil processes at law or in equity, or of any civil writ whatsoever, hereafter to be issued out of any court, or by any judge of this State, and directed to or against, or lawfully to be served upon any person whatsoever, wherein the service of such writ or process upon such person then being within the local jurisdiction of such court or judge, shall be prevented or resisted by threats, violence, intimidation, or superior force on the part or behalf of such person; or the said person so liable to be served with such writ or process shall be within any fortress, or fortified place or building, or at any military post within said jurisdiction, and entrance thereto, or access therein to such person, shall be by order or on the behalf of such person refused, obstructed, or prevented, so that the officer charged with the service of such writ or process shall be unable to serve the same, or cannot do so without force, or personal risk, the said officer shall leave a copy of such writ or process, if practicable or permitted, with such person or persons as shall present themselves, where such writ or process is sought to be served, and where or whereabouts the person on whom the same is sought to be served shall be, or shall set up such copy upon the fortress, building, or premises aforesaid, or as near thereto as may be practicable; and shall make return of the facts accordingly; which return shall to all legal intents, purposes, and effect, be equivalent to a return of actual personal service of such writ or process, upon the party named therein.

1861, c 69  
Process, how  
served when  
resisted

Return.

## PROCESS FROM ANOTHER COUNTY.

**12.** The sheriff shall serve and return all writs and process which may be sent from another county or city and delivered to him, to the court to which the same is returnable, on or before the second day of the session of such court; and, if he neglect or fail to do so, it shall be considered a contempt of the court; and such sheriff, for such contempt, shall forfeit and pay a fine not exceeding fifty dollars.

Art 88, s 19  
1817, c 139, s 6.  
Service and  
return of pro-  
cess from other  
counties

Penalty for  
neglect.

**13.** The court imposing the fine for the contempt mentioned in the last preceding section shall certify the same to the Circuit Court of the county where the sheriff resides; or if he resides in the city of Baltimore, to the Superior Court of Baltimore City; and, upon the receipt of such certificate by the court to which it may be sent, the said court shall forthwith compel the payment of the same in the same manner as if the fine had been imposed by such court.

Id s 20.  
1817, c 139, s 6.  
Payment of  
fines, how  
enforced

**14.** The sheriff may return any writ or other process sent from another county or city to the clerk of the court to which the same may be returnable by mail, in a cover sealed up and duly addressed; but the non-return of such process, by the time hereinbefore limited, shall not be excused by any evidence which such sheriff may offer, to prove that such writ or process was deposited in the post-office to be so transmitted, except the positive affidavit in writing

Id s 21  
1817, c 139, s 7  
How to return  
process from  
other counties

What deemed  
proof of return.