

of the said sheriff himself, setting forth substantially the process so transmitted, the return indorsed thereon, the manner in which the same was covered and addressed, and the actual time when the same was deposited in the post-office.

Id s 22
1817, c 139, s 7
Remission of
fines.

15. If the court, before which said sheriff shall be brought for contempt, shall be satisfied of the facts contained in such affidavit, and that such process was deposited in the proper post-office in due time, to be transmitted to the court to which the same was returnable, the said court may remit the fine aforesaid and discharge the sheriff from the attachment, on payment of the costs arising from the proceedings had in consequence of the non-return of the writ or process; and the court shall direct the affidavit to be filed, and their judgment in relation thereto to be entered on the record of their proceedings; but nothing herein contained shall, in any manner, affect the remedy given the party grieved by the next succeeding section, for the neglect or delay of the sheriff in not making a due return of said process.

Id s. 23.
1815, c 149, s 1.
Amercement of
sheriffs for
failure to return
process for use
of party
injured.

16. When any process shall be issued from any Circuit Court of a county, or the Court of Common Pleas, or the Superior Court of Baltimore City, or the Baltimore City Court, or the Circuit Court of Baltimore City, directed to the sheriff of another county or the said city, and the sheriff to whom the same shall be directed shall neglect to make due return thereof to the court to which such process may be made returnable, such court may, on motion and on proof of the delivery of such process to said sheriff, amerce said sheriff in a sum not exceeding two hundred dollars, and enter judgment against him for the amercement so imposed, in the name of the State, but for the use of the party aggrieved by the neglect of said sheriff, which judgment shall be as valid as if rendered upon verdict, and the party for whose use the same shall have been entered may sue out execution thereon.

REMEDIES AGAINST SHERIFF.

Id s 15
1791 c 54, s 2.
Amercement on
failure to return
original writ.

17. If any sheriff shall fail to return an original writ within the time limited by rule of the court for that purpose, the court, on motion, shall amerce the sheriff to the amount of the debt or damages and costs due from the defendant, to be ascertained by the oath of the plaintiff, his agent, or attorney, and such other proof as the court may require, and shall enter judgment *nisi* the second day of the next term thereafter, for the amount of the amercement aforesaid, in the name of the plaintiff against such sheriff, which judgment shall have the same effect as if rendered upon verdict.

Judgment
thereon

Id s 16
1794, c 54, s 1
Judgment
against sheriff
for failure to
return execu-
tion
10 G & J 358

18. If any sheriff shall fail to make return of a writ of execution within the time limited by rule of court for that purpose, the court may cause judgment to be entered in the name of the plaintiff against such sheriff for the amount of the judgment recited in such