

EXECUTING DEATH WARRANT.

41. The sheriff shall execute the sentence of death pronounced against any criminal by the judgment of any court of this State, whenever he is authorized to do so by the warrant of the governor.

Art 88, s 81.
1795, c 82, s 1.
To execute
sentence of
death.

FINES AND PENALTIES.

42. The sheriff shall be answerable for all fines, penalties, and forfeitures imposed on the inhabitants of his county by any court of record of this State, unless he can show that the party on whom the same was imposed is insolvent.

Art 88, s 55.
1795, c 74, s 7.
When answer-
able for fines,
penalties and
forfeitures

43. He may require the State's attorney to issue an execution for all fines, penalties, or forfeitures so imposed and the costs; *provided*, that any person adjudged to pay a fine or penalty may enter into a recognizance with security for the payment of the same and costs, within sixty days, and no execution shall issue for the same until the expiration of the sixty days.

Id s 56
1795, c 74, s 7,
1828, c 11, s 1.
May require
State's attorney
to issue execu-
tion for same

44. All such executions shall be returnable at the next term succeeding the issuing thereof, and if the sheriff returns that he has taken the person against whom such execution issued, he must produce the body of the person so taken, or acknowledge in open court the receipt of the fine, penalty, or forfeiture and the costs thereon, unless he can show the defendant was released from his custody under the insolvent laws.

Id s 57
1795, c 74, s 4.
Executions,
when return-
able

45. All fines, forfeitures, penalties, and costs imposed as aforesaid, are to be paid to the sheriff, who shall pay the same, except the costs, to the treasurer, on or before the tenth of November in each year, and the costs to the persons entitled to receive them; *provided*, when any person is entitled to any part of a fine, forfeiture, or penalty as informer or otherwise, the same shall be paid by said sheriff to such person.

Id s 58
1795, c 74, ss 3, 6.
Sheriff to pay
fines, etc., to
treasurer.

Part paid to
informer.

46. The sheriff shall deduct from each recognizance which may be forfeited and by him collected, the costs incurred by the county or city in which such recognizance may have been taken, and pay over the same to the clerk of the court in which the recognizance was forfeited, to be by him accounted for to the county commissioners of the county, or the mayor and city council of Baltimore, as the case may be, and the said clerks shall each state such costs in the return by him made to the comptroller.

Id s 59
1795, c 74, s 6;
1820, c. 120.
Costs on
forfeited recog-
nizance.