

days after the same is delivered to him by the clerk; and if said *capias* is returned *non est*, the clerk shall, in the discretion of the State's attorney of Baltimore city, order said *capias* to be re-issued, and the same *capias* shall again be delivered to the sheriff; and the date of the first return thereof shall be endorsed thereon; and the second return shall be made within the time above specified; and in case the said *capias* is returned the second time *non est*, the same shall be again so endorsed and delivered to the sheriff.

P. L. L., (1860,) art. 4, sec. 185.

190. The clerk of said court and the sheriff of the said city shall be allowed only the fees for the issue of one *capias*, or for the service of one *capias* in each term, however often the same may be issued or returned.

Ibid. sec. 186.

191. All *subpœnas* for witnesses from said court shall be returned by the sheriff within six days after the same are issued by the clerk, or within six days after the day of the renewal of such *subpœnas*, unless the same are ordered to be returned immediately, in which case they shall be so returned, if practicable.

Ibid. sec. 187.

192. The said sheriff shall be allowed for the service of one *subpœna* only, against any witness that may be returned *non est*, and for whom the said *subpœna* may be renewed, whether once or oftener in one term.

Ibid. sec. 188.

193. The clerk of said court, if a *subpœna* is renewed by order of the State's attorney, or by the counsel of the prisoner or traverser, shall endorse the renewal on the *subpœna*, and the same shall have all the legal effect of a new *subpœna* issued in the term of said court during which said *subpœna* was first issued.

Ibid. sec. 189.

194. The sheriff of said city shall be subject to a penalty of five dollars in each case in which returns are not made within the time prescribed in this sub-title of this article.