

in the said indictment or other prosecution, in evidence under the general issue by way of justification.

1888, art. 75, sec. 16 1860, art. 75, sec. 15. 1825, ch. 208, sec. 1
1888, ch. 547.

16. In any suit on the bond of any clerk or register it shall not be necessary to suggest the breaches in the replication, and if plea of performance is pleaded by defendants, it shall be sufficient to reply generally that the obligor has not performed the condition of his bond and give the special matter in evidence, and in this event the defendant shall be entitled to a bill of particulars of the plaintiff's claim.

Ibid. sec. 17. 1860, art. 75, sec. 16 1825, ch. 208, sec. 4.

17. The plea of *non damnificatus* shall not be received to any suit on the bond of a clerk or register.

Ibid. sec. 18. 1860, art. 75, sec. 17. 1777, ch. 13, sec. 2.

18. Whenever any recognizance taken for the appearance of any person to answer, or of any person to testify, shall be forfeited in any court of record, the State's attorney may order a writ of execution to be issued for the sum or sums thereon due.

Ibid. sec. 19. 1860, art. 75, sec. 18. 1782, ch. 42, sec. 2.

19. Whenever any execution has issued on a forfeited recognizance against a person for not appearing according to the tenor of the recognizance, such person, on the return of the execution, may appear and plead in discharge thereof any plea which would have been good and sufficient to a *scire facias* on said recognizance, if a *scire facias* had issued thereon; and upon such plea being determined in favor of the person pleading the same, he shall be discharged from the said forfeiture; provided, such person shall not be discharged from such execution until the trial of the plea, unless he shall pay and satisfy the execution or give bond payable to the State before the sheriff, or enter into recognizance in court with one good and sufficient security in double the forfeiture and costs due upon such execution, conditioned to appear and plead in discharge of said execution and to abide by and fulfil the judgment of the court thereupon.

Schultze v. State, 43 Md 295

Ibid. sec. 20 1860, art. 75, sec. 19. 1856, ch. 112, sec. 94.
1888, ch. 409.

20. It shall be lawful for the defendant, or for one or more of several defendants, in all actions (except actions for assault