

in execution, any goods or chattels, lands and tenements, under and by virtue of any writ of execution, sued out of any court within this state, and hath returned, or shall return, such writ to the court whence it issued, alleging thereon that the goods or chattels, lands or tenements, so taken in execution, remain in his possession or custody, unsold for the want of buyers, or by reason of any impediment: and the said Sheriff or coroner shall neglect or omit to make sale of said goods or chattels, lands or tenements, within five years from the time when he laid the original writ of execution on the same, then, in any such case, the plaintiff or plaintiffs therein concerned, may, at his, her, or their option, either renew the said execution, and direct it to the said Sheriff or Coroner, or the plaintiff or plaintiffs may have the same proceedings in such suit as are authorised and directed by the laws of this state, in cases where a Sheriff or Coroner removes out of the county, for and within which he acted, without having effected the sale of goods or chattels, lands or tenements, taken by him in execution.

Sec. 2. *And be it enacted.* That in any case where the state of Maryland is plaintiff, in which a Sheriff or Coroner may have returned, or shall hereafter return, property, as taken under an execution issued out of any court within this state, and in his possession or custody, unsold for the want of buyers; and the said Sheriff or Coroner shall, at any time thereafter become insolvent, or shall wilfully neglect to make sale of such property so taken in execution, it shall be the duty of the attorney prosecuting for the state in that behalf, if he considers it for the advantage of the state so to do, after the return day of any writ of execution issued in such case, to issue a new writ, directed to the Sheriff or some Coroner for the time being, as the case may require; under which new writ, such Sheriff or Coroner may proceed to seize and take into his possession, the goods and chattels, lands and tenements, so as aforesaid seized by the insolvent or neglecting Sheriff, and there proceed to sell the same, in the same manner, and under the same provisions and penalties as are prescribed in cases where any Sheriff, Coroner, or Elisor, shall die before making sale of property taken under execution, and remaining in his hand unsold; *Provided*, that nothing herein contained shall operate to effect the legal rights of any person whatsoever, other than such insolvent or neglecting Sheriffs and Coroners.

Ver. State is  
plaintiff, and Sheriff  
or Coroner, &c.  
proceeding direct  
to.