

## CHAP. 379.

## CHAPTER 379.

Passed Mar. 10, 1846. *An act relating to Constables, and to the estates and fees due to deceased Constables, and for other purposes.*

Justice of the peace upon application to issue.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That in case any constable in this State, has died, or in case any constable in the said State, shall hereafter die, having taken in execution, any goods or chattels lands or tenements, under and in virtue of any writ or writs of fieri facias, and in all cases where writs of venditioni exponas have issued to the said constable, and the said constable shall not have sold and disposed of the said goods, chattels, lands and tenements, contained in the said writs of fieri facias or venditioni exponas, it shall and may be lawful for any justice of the peace in the said county, and such justice of the peace is hereby required on application of the representative or security of the deceased constable, or of any person interested, to issue writs of venditioni exponas or other appropriate process, directed to any constable in the said county wherein the goods, chattels, lands or tenements so taken in execution, may be or lie, and reciting the death of the said constable, and any such constable to whom any such writ of venditioni exponas or other process, shall be directed and delivered, shall seize and take, and he is hereby authorized and empowered to seize and take into his possession the goods, chattels, lands or tenements mentioned or set forth in such venditioni exponas, in whosoever hands or possession the same may be found, and shall proceed after due and legal notice to sell the same at public sale, in the same manner as if the said goods or chattels, lands or tenements; had been seized and taken by such constable upon a writ of fieri facias to him directed and delivered for that purpose, and shall make return thereof to the said justice of the peace or to any other in the county, and such constable shall be liable to be proceeded against, and his bond shall be answerable in the same manner for any neglect of duty of such constable, as on any other writs of venditioni exponas to them directed and delivered.

Sale valid.

SEC. 2. *And be it enacted,* That any sale so to be made by any constable, in virtue of any such writ of venditioni exponas as aforesaid, shall be as valid and effectual as if the same had been made by the constable who had seized and taken the said goods or chattels, lands or tenements under the writs of fieri facias.