

body, goods, &c. such execution shall have issued, which shall have the same effect, as if rendered upon any verdict of a jury.—1794, c. 54, § 1.

41. In case any sheriff, &c. shall be called upon by order of the general or any county court to return any original writ, and shall omit to do, within the time limited by rule of court, or to bring before them any defendant or defendants before arrested upon any original writ or mesne process, according to the tenor of his return, the court, on motion, shall cause such sheriff, &c. to be amerced to the amount of the debt or damages, and costs due from the defendant or defendants, to be ascertained by the oath of the plaintiff or plaintiffs, his, her or their factor, agent or attorney, and such other proof as the court may require, and may enter judgment, *nisi* the 2 day of the next term thereafter, for the amount of the amercement, in the name and for the use of the plaintiff or plaintiffs, against such sheriff, &c. which judgment shall be as effectual as if rendered upon any verdict of a jury.—*ibid.* § 2.

42. Where any sheriff, &c. shall satisfy the plaintiff or plaintiffs any judgment rendered against him in virtue of this act, or for a default upon an execution, such sheriff, &c. shall thereupon become entitled to the original cause of action, or judgment, as fully as the plaintiff, &c. themselves was or were, and may issue execution in his own name, or of the original plaintiff, &c. upon such judgment, for his own use, or prosecute such action to judgment and execution for his own use, and shall be entitled to every other benefit, that the original plaintiff or plaintiffs could have had therefrom.—*ibid.* § 3.

43. Upon motion made to either of the said courts for an order upon the sheriff, &c. to make return of any execution, or original writ, the said court shall make such order of course, unless such sheriff, &c. shall, upon oath or otherwise, satisfy the said court that the said writ was not received, by him, or to the best of his knowledge by any of his deputies.—*ibid.* § 4.

44. Sheriffs bonds shall hereafter be taken on some day between the 8 day of Oct. and the 1 day of Jan. in each year, in the respective county courts, or out of court before the chief justice, or two associate justices thereof, and in case of death, sickness, absence, removal, resignation or disqualification, of one of the associate justices, the other shall call in two justices of the peace, who shall, with him, judge of the sufficiency of the securities offered by the sheriff, and attest the execution of the said bond; which bonds shall hereafter be taken according to the form following; that is to say, "Know all men by these presents, that we, — and — of — county, in the state of Maryland, are held and firmly bound unto the state of Maryland in the full and just sum of ten thousand pounds current money, to be paid to the said state, or its certain attorney; to the which payment well and truly to be made and done, we bind ourselves, our heirs, executors and administrators, jointly
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