

EXECUTION.

Attornies fees to be levied by execution as other officers fees. *Ibid.* ch. 48, § 10.

The space of time therein mentioned not to be taken or estimated in the year and a day limited by law for issuing executions on judgments. February, 1777, ch. 15, § 7.

Execution may be issued against a defendant removing from the county where the judgment was had. October, 1777, ch. 12, § 3.

Such execution shall be directed to, and served by, the sheriff or coroner of the county where the defendant may reside. *Ibid.*

The plaintiff to produce to the court where the execution is returnable a short copy of the judgment, attested by the clerk of the court where it was obtained. *Ibid.*

The execution may be renewed in virtue of such short copy from the court to which it was returned as if the judgment had been rendered therein. 1795, ch. 23.

Execution may be issued on judgment against bail as if for his own debt. October, 1778, ch. 21, § 6.

On judgment with a stay, at any time within one year after the expiration of such stay, if entered on the docket when the judgment is rendered. *Ibid.* § 7.

Within one year after the dissolution of an injunction from the court of chancery. *Ibid.*

Within one year after any superseas on appeal or writ of error. *Ibid.*

Where execution issues on a forfeited recognizance, the party may appear and plead as if to a *scire facias* issued thereon. April, 1782, ch. 42, § 2.

Where it issues on a recognizance forfeited for not attending as a witness in any case not capital, the court may discharge the party on terms as therein mentioned. *Ibid.*

Fees to the clerks for issuing executions. November, 1779, ch. 25, § 2, 3.

To the sheriffs for serving and returning writs of execution. *Ibid.* § 3.

Poundage fees allowed to the sheriffs on executions. *Ibid.* § 4, 5; 1790, ch. 59, § 2.

Fees on executions to the coroner. November, 1779, ch. 25, § 5.

Executions entered not called by consent, may be again issued against the proper person. 1789, ch. 42.

See **CAPIAS AD SATISFACIENDUM.**
Execution to be issued for costs on judgments, after appeal being reversed in the general court or the court of appeals. 1785, ch. 80, § 6; 1790, ch. 42.

Directions respecting fees to the attorney-general and his deputies on executions for fines. 1791, ch. 63.

Execution, how to be staid. 1791, ch. 67, November, 1792, ch. 74.

See **STAY OF EXECUTION.**
All executions under the act for the speedy recovery of small debts, to be returnable at a certain day, not exceeding forty days after the teste thereof, before the justice issuing them, or before some other. 1791, ch. 68, § 6.

Execution may be awarded on a judgment against a constable, directed to the sheriff, in case of non-payment of any debt admitted to be received by him. *Ibid.*

A justice of the peace, after giving judgment, may charge the constable with the body of the debtor in execution, who is to carry him to the sheriff, or execution may be awarded in one year from the judgment. *Ibid.*

Execution shall not be staid on appeal from such judgments, unless bond is given as therein described. *Ibid.* § 5.

On a decision being prayed in a county court on principles of equity, the suit may be proceeded on to judgment, and executi-

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on shall not be staid unless the facts stated in the petition are verified by oath or affirmation, and bond with security is given. *Ibid.* ch. 78, § 5.

Execution may be issued from the general or county court on the order of the president of the bank of Maryland. 1790, ch. 5, § 13.

On the return thereof, an issue may be joined if the defendant contest the debt. *Ibid.*

A similar provision as to the bank of Columbia. 1793, ch. 30, § 14.

Execution, how to be issued for costs under the act to provide a summary mode of recovering possession of lands held by tenants for years, &c. 1793, ch. 43.

Execution to be issued against the property of persons convicted of robbery, &c. if the property taken is not returned to the party injured. *Ibid.* ch. 57, § 21.

An immediate execution to issue on judgments obtained on motion on behalf of the trustees of the poor against the collectors of the county charges, on notice, &c. as therein prescribed. 1794, ch. 53, § 3.

No writ of error, superseas, injunction or appeal, to be allowed thereon. *Ibid.*

A similar provision as to judgments against sheriffs or collectors. 1797, ch. 43.

The same on such judgments by sheriffs or collectors against their deputies. *Ibid.*

The same on a judgment on motion against a sheriff refusing or neglecting to pay over money received for militia fines. 1798, ch. 100, § 20.

Manner in which sheriffs or coroners may be defaulted on the return of executions, and failing to bring in the persons, or on failing to make returns, and their remedy against the defendants. 1794, ch. 54.

See **DEFAULTS. SHERIFFS.**
Execution, when to be issued to an elisor, and his power therein. *Ibid.* § 5, 6.

Writs of *feri facias* may, on the return of *nulla bona*, be issued against the goods, &c. in any other county. *Ibid.* § 9.

Writs of *capias ad satisfaciendum* to be issued for the recovery of fines, penalties and forfeitures. 1795, ch. 74.

Execution may issue as on a condemnation against a garnishee, on his neglect or refusal to answer interrogatories touching the property of the defendant, or debts owing to him. *Ibid.* ch. 56, § 5.

No person shall cause any inhabitant of this state to be arrested out of the county where he resides by a writ of *capias ad respondendum*, or *capias ad satisfaciendum*, for any debt, &c. until the sheriff or coroner of the county where he shall reside shall have returned a writ of *non est inventus* on such writs respectively, issued at the request of such person against the said defendant. 1796, ch. 43, § 14.

On a person being taken in execution contrary to this act, the court shall discharge him from imprisonment. *Ibid.* § 15.

This act not to extend to persons flying from justice in the county where they live, but they may be arrested in any county. *Ibid.*

On a *feri facias* against an executor or administrator, either his own goods, or those of the deceased, may be taken. 1798, No. 101, ch. 8, § 9.

Execution may issue and have effect in the cases therein mentioned against an executor as if he were sued in his own right. *Ibid.* ch. 14, § 6.

EXECUTIVE POWER.

Persons invested with the executive powers of government are the trustees of the public, and as such accountable for their conduct, &c. Decl. 4.