

C H A P. LXII. rendered by a single magistrate hath been taken, shall make return of any such supersedeas to the office of the said county court, for the purpose that the same should be recorded or filed therein by the clerk of the said county, any law to the contrary notwithstanding.

Any justice may issue execution, &c. II. AND BE IT ENACTED, That any justice of the peace before whom supersedeas shall or may be taken from and after the said twentieth day of March next, or any other justice of the peace of said county, may and shall, at the request of the plaintiff, or any other person authorised by or on behalf of said plaintiff, issue execution by way of *capias ad satisfaciendum* or *feri facias* against the principal debtor and his securities, or against either of them, after the expiration of the time so mentioned in the said supersedeas.

Constables may serve executions, &c. III. AND BE IT ENACTED, That the constables of the respective counties of this state, who have been, or may hereafter be, duly appointed and qualified according to law, are hereby authorised and empowered to serve and levy executions issued by a justice of the peace on judgments obtained for small debts out of court, in the same manner and by the same process as the sheriff or their deputies are by law authorised to do, and to receive the same fees that the said sheriffs are entitled by law to receive for the same services; provided nevertheless, that the said constables shall, before they proceed to discharge the duties required by this act, give bond to the state of Maryland, with good and sufficient security, in the penalty of two hundred and fifty dollars, to be approved of by the levy court of the county, for the due performance of the duties of a constable, and also the duties and trust reposed in them by virtue of this act, whose duty it shall be to have the same filed or entered on record by their clerks; provided also, that nothing in this act contained shall be construed to prohibit or prevent the sheriff or their deputies, in the respective counties, from executing or levying executions issued by a justice of the peace for small debts out of court, when the same are put into their hands for that purpose, in the same manner as by law they have been or now are authorised to do.

Judgments revived, IV. AND BE IT ENACTED, That where any judgment obtained before a single magistrate shall have continued for more than one year, and the said judgment had not been paid or satisfied, it shall and may be lawful for the justice before whom the said judgments had been obtained, or any other justice of the peace for said county, to revive the same by a writ of *scire facias*, which shall be made returnable on a certain day, not exceeding forty days from the time of issuing the same, to the said justice, or to any other justice of the peace of said county; and any constable, qualified as above mentioned, of the hundred, or of the said county, is hereby authorised and required to serve such writ of *scire facias*, and make due return thereof on the return day mentioned in the said writ, in the same manner, and entitled to the same fee, and liable to the same penalty, as in the case of a warrant issued by a single magistrate, according to the law in such case made and provided.

Constables deliver prisoners, &c. V. AND BE IT ENACTED, That it may be lawful for any constable of the county qualified as aforesaid, to deliver at the county gaol, to the sheriff or gaoler of the said county, any person committed by a single magistrate on a *capias ad satisfaciendum*, when the case may or doth so require, and that the said sheriff or his gaoler are hereby required and directed to take charge of such person, and the same in his custody safe keep, until such person or persons shall be duly discharged therefrom according to law.

Continuation. VI. AND BE IT ENACTED, That this act shall continue to be in force for and during the continuance of the act to which this is a supplement.

Repeal of an act. VII. AND BE IT ENACTED, That so much of the act to which this is a supplement as is contrary to, or inconsistent with, this act, be and the same is hereby repealed.

C H A P. LXIII.

An ACT to regulate the inspection of tobacco.

WHEREAS, in order properly to regulate the inspection of tobacco, it is essentially necessary to prevent the exportation of such as is unmerchantable;

II. BE IT ENACTED, by the General Assembly of Maryland, That after the passage of this act, it shall not be lawful to export, or carry out of this state, by land or by water, any tobacco, unless in hogsheads, which shall be inspected, passed and marked, at some public warehouse, agreeably to the directions of this act, except, any tobacco inspected before the passage of this act may be exported.