

of the heirs or terre-tenants named and included in such writ of scire facias; or to whom the same is intended to be made known, shall be resident of any other county than that in which the defendant in the original judgment resided, it shall and may be lawful for the clerk of the Court of Appeals, who shall or may issue the said writ of scire facias, to issue and direct to the sheriff of each and every other county wherein any of the said heirs or terre-tenants shall or may reside, a duplicate of the said writ of scire facias returnable to the county court to which the original writ of scire facias shall be made returnable; and it shall be the duty of each sheriff to serve the said duplicate writ of scire facias, and return the same to the county court to which it shall be made returnable according to the tenor and command thereof; and the person or persons so summoned by means of any such duplicate writ of scire facias may appear thereto, and the like proceedings shall and may be had against them in the said county court in the same manner as if they were residents of the county to which the said writ of scire facias shall be made returnable.

1812.

3. AND BE IT ENACTED, That in all cases wherein a joint writ of capias ad respondendum hath issued or shall issue out of any county court of this State against heirs or devisees, and it shall happen that some one or more of the heirs or devisees named and included in the said writ shall be resident in any other county than that in which the said writ shall have issued or may issue, it shall and may be lawful for the clerk of the county court who shall have issued or may issue any such writ, to issue and direct to the sheriff of each and every other county wherein any of the said heirs or devisees shall reside, a duplicate of the said writ, returnable to the county court out of which the same hath issued or shall issue; and it shall be the duty of such sheriff to serve the said writ and make return thereof to the county court whence the same shall have issued, according to the tenor and command thereof; and the parties so taken, under and by virtue of the said duplicate, shall appear thereto and have the like proceedings against them in the said county court, in the same manner as if they were residents of the county in which the said original writ hath issued or shall issue; and such sheriff shall also be liable to be amerced upon such duplicate in the same manner as upon all other original writs: *Provided*, That if

Joint writs of capias ad respondendum.

Proviso.