

C H A P. XII.

An ACT to empower the county courts to issue *subpœnas* for witnesses residing in other counties to attend trials to be had before such courts, and to direct the manner of issuing executions from one county to another.

BE it enacted, by the general assembly of Maryland, That it shall and may be lawful for the clerk of any county court, to issue summons for witnesses residing in a different county, to testify in trials to be had before such court; which summons shall be directed to the sheriff or coroner (as the case may require) of the county where the witnesses reside, and returned to the court before which the trial is to be had.

Clerks may issue summons for witnesses in different counties.

II. And be it enacted, That all witnesses, as aforesaid summoned, shall, in case of non-attendance, be liable to attachment and fine, in like manner as if such witnesses resided in the county where such trial is had.

Witnesses not attending liable to attachment.

III. And be it enacted, That it shall and may be lawful for the clerks of the several county courts, and they are hereby authorized and required, on application of the plaintiff, in any judgment of their courts respectively, to issue executions against any defendant, who hath removed, or shall remove, from the county in which such judgment is or shall be had, to another county; which execution shall be directed to, and served by, the sheriff or coroner (as the case may require) of the county where such defendant may reside, and returned to the court of the county of which he is sheriff or coroner; and it shall be sufficient for the plaintiff, to entitle himself to the benefit of such execution, to produce before the court to which the same shall be returnable, a short copy of the judgment by him had, attested by the clerk of the court before which the same is had.

Clerks to issue executions, &c.

IV. ~~Provided nevertheless~~, That no execution shall issue on any judgment heretofore obtained, which has been stayed by order of the court, during the time the said court have directed such stay.

Proviso:

V. And, whereas, by the act, entitled, An act to open the courts of justice, and for other purposes, it was enacted, That in all cases where judgment hath already been, or shall hereafter be obtained, in any court of law, the plaintiff or plaintiffs, to entitle himself to execution, shall move the court in which such judgment hath been or shall be obtained, for leave to issue such execution; and the court so moved shall and may, in their discretion, upon consideration of particular distress to the family of the defendant, consequent on such execution, stay the same, for a time not more than six months; ~~Be it enacted~~, That the said recited clause be and is hereby repealed.

Part of an act repealed.

C H A P. XIII.

A Supplement to the act for the regulation of officers fees.

Expired with the principal act.

C H A P. XIV.

An additional supplement to the acts for assessment of property.

This act directs a new assessment to be made on account of the inequality of the last. It fixes the value of the best land at £. 4, the worst at 7/6, and leaves the intermediate to the assessors discretion. It fixes likewise rates for negroes, and directs the pound rate, after the 15th of April next, to be levied by distress and sale, on giving five days notice. And if no goods can be found, the land of the party is to be liable for the assessment, with an interest thereon of six per cent. and any goods found thereon at any time shall be liable to distress and sale. These are the most remarkable amongst a variety of provisions.

C H A P. XV.

An ACT to revive the proceedings of Queen-Anne's county court.

The proceedings which were discontinued at the time to which the last March court was adjourned, are to be in their former state at the next court, except where new actions have been commenced, or the death of a party has taken or shall take place. But this act is to affect neither bail nor such sureties for appearance to answer, on whose recognizances no default has been entered; nor is it to invalidate any action commenced since the fall of the said court by the commissioners appointed under the new constitution.