

Clerk to transmit a list, &c.

SEC. 5. *And be it enacted*, That the clerk of the several counties in this state shall, on or before the tenth day of November annually hereafter, transmit to the treasurer of the western shore a list of all such executions as may be issued under the authority of this act, and of the several sums of money which the sheriffs of their respective counties shall have acknowledged to have been received by them respectively for fines, penalties and forfeitures.

Costs to be paid over, &c.

SEC. 6. *And be it enacted*, That the several sheriffs aforesaid shall and they are hereby directed to pay over the costs arising from the said executions to such persons as are entitled to and ought to receive the same.

Sheriffs to be answerable, &c.

SEC. 7. *And be it enacted*, That the respective sheriffs of this state shall be answerable for all fines, penalties and forfeitures, imposed on the inhabitants of their respective counties by the judgment of any court within this state, where no writ of execution shall issue for recovery of such fine, penalty or forfeiture, unless the said sheriffs shall respectively make it appear, to the satisfaction of the treasurer, that the party on whom such fine, penalty or forfeiture, was imposed, was insolvent and unable to pay the same.

CHAPTER 82.

AN ACT declaring the power of the Governor in certain Criminal cases.

Governor to issue a warrant, &c.

Be it enacted by the General Assembly of Maryland, That the governor for the time being shall have full power and authority, and he is hereby required, whenever sentence of death is pronounced against any criminal by the judgment of any court of this state, to issue, under his hand, a warrant to the sheriff of the county who by such judgment ought by law to execute the same, to order and direct the said sheriff to execute the said judgment, at such time as in his warrant he shall appoint, pursuant to such judgment.

May commute any sentence, &c.

SEC. 2. *And be it enacted*, That the governor for the time being shall have full power and authority, in his discretion, to commute or change any sentence or judgment of death, passed on any criminal by any court of this state, into other punishment of labour, or to banishment of such criminal from this state, upon such terms and conditions, and for such period, as he shall think expedient, and if such criminal be a slave, against whom any such judgment or sentence is or may be passed, to commute and change the said judgment into transportation and sale in some foreign country, for the benefit of the state.

And grant nolle prosequi on conditions, &c.

SEC. 3. *And be it enacted*, That the governor for the time being shall have full power and authority, in granting any nolle prosequi before sentence or judgment, to grant the same on such conditions, and under such limitations and restrictions