direct, in their discretion, the interest thereon, to be calculated at a rate of interest not exceeding twelve per cent., where the judgment bears a lower interest than eight per cent.—and in no case exceeding fifteen per cent.

CHAPTER XVIII.

OF EXECUTION.

1. Immediately after the entering of the final judgment, the successful party may demand a writ of execution. But if either party to the judgment have died, leaving no surviving plaintiff or defendant, as the case may be, or if the judgment be of two years standing, no execution shall issue without an action of enforcement.

2. A writ of execution shall be directed to the sheriff, commanding him to seize and expose to sale, the lands, goods, and chattels of the party against whom the judgment has been rendered, until he has raised the sum of money named in the judgment, and interest; and if he cannot find any lands, goods, or chattels, of the said party, to arrest him, and bring him before the court, or some judge thereof, to be dealt with according to law, unless he pays to the said sheriff the said sum of money, and interest, or shows him property, to seize and sell for the same; and when the money is raised, or paid, to pay the same over to the party entitled to receive the same, and to make known to the court how he has executed the said writ, upon a day to be therein named. Any person may, at any time, issue an attachment in enforcement, instead of an execution.

3. The sheriff shall literally execute the commands of the writ of execution, and shall cause an appraisement and schedule of all property seized by him to be made, as in the case of attachment, and annexed to the writ.

4. The sheriff may return to the said writ, either that he has made the money, and paid it over to the person entitled to receive it; or that he has it in court, ready to pay over; or that he has seized the property mentioned in the annexed schedule, and that it remains in his hands, for want of buyers; or that he has arrested the party named in the writ, and now has him in court; or that he arrested him, and he was discharged by such an authority; or that he cannot find the party, or any lands, goods, or chattels of his.

5. Where the sheriff returns to a writ of execution, that he has property on hand, for want of buyers; or where there is property in the hands of the sheriff, taken under an attachment, in the same case, a writ of sale may issue, commanding the sheriff to sell said property, and pay over the proceeds to the party entitled to receive them; or if property has been previously sold and the proceeds are in court, they may be paid over by an order of court.

6. When a sheriff goes out of office, or dies, it shall be his duty or that of his representatives, to hand over to his successor, all property in his hands under execution or attachment, and the new sheriff, shall in each case file a statement or schedule of the property so handed over to him, and as to all such property the writ of sale shall go to the new sheriff.

7. The party may, giving reasonable notice to the old sheriff, or his representatives, move the court for a judgment against such sheriff or his representatives, for the value of any property not handed over, and the court may enter such judgment in a summary way, without formal proceedings, regarding it as a judgment in an action of damages. A jury shall not be necessary, but the court may ascertain the damages by comparing the two schedules. A similar proceeding may take place, whenever the sheriff shall refuse or neglect to pay over money, or deliver over property which he ought to pay or deliver over as sheriff.

8. Where an attachment has been laid in the hands of a garnishee, who has appeared and defended the case, or where an attachment has been laid in the hands of a garnishee, and neither the defendant nor the garnishee appear, there shall be a final judgment against the garnishee; a judgment by default having been first entered in the last case, and on such final judgment an execution may issue against such garnishee for the amount so attached in his hands. But if the garnishee appear and defend the case, he may demand that the jury inquire into the value of the debt due from him to the defendant, or of the property of the defendant in his hands, and if it be less than the sum attached in his hands, the judgment shall be for no more than the jury find, and if it be property, he shall not be obliged to purchase it, at the valuation of the jury, but may prevent an

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XIII. Colonization Pamphlets

1. The Declaration of Rights,
The Constitution of the
State of Md. in Liberia
(rough draft, engrossed copy, printed copy)