

C H A P.
XVII.

tion of officers fees." Which said oaths before mentioned shall be severally returned by the judge, justice or alderman, before whom the same shall be taken, to the general court or county offices, as the case shall require, within twenty days after the taking thereof, under the penalty of five pounds for every neglect, and shall there be recorded by the clerk of such court, under the penalty of five pounds for every neglect.

Actions ended
before judg-
ment not to be
recorded, &c.

XI. And be it enacted, That in all actions or suits brought or prosecuted, or hereafter to be brought or prosecuted, in any of the courts in this state, and the same are or shall be entered, agreed, struck off, discontinued, or abated, or shall be otherwise ended, before final judgment or final decree, the proceedings shall not be recorded, unless at the request of the plaintiff, or defendant, or his agent, or attorney, signified in writing, directed to the clerk of the said courts respectively; and if the same proceedings be recorded without such request, no fees whatever shall be payable for such service; and all officers mentioned by this act shall be obliged to set up in the most public place of his office, and there constantly keep, a fair table of the fees rated and established by this act, under the penalty of twenty pounds for every month he shall neglect to do the same.

Fees on execution to be sent out but once a year.

XII. And be it enacted, That no officer herein before mentioned, under the penalty of one hundred pounds for every offence, shall send out his fees on execution but once in every year, between the first day of January and the first day of March, during the continuance of this act; and the party charged, his body, goods, or chattels, shall not be executed for any of the aforesaid fees, unless his account of such fees be delivered to him, or left at his last place of abode, on or before the first day of May in any year the said fees shall be sent out or demanded.

Surveyor not to be paid for erroneous certificates, &c.

XIII. And be it enacted, That where any surveyor returns a certificate for the examination of the examiner-general, and the same shall be by him found erroneous, in such case the party, for whose use such survey is made, shall not be burthened with any fees on such erroneous certificate, either by the examiner-general or surveyor, but the surveyor returning such erroneous certificate shall pay the examiner-general for his trouble in examining the same, one third part of such fees as by this act are allowed to the examiner-general.

Sheriff may execute any inhabitant, &c. who is about to abscond, &c.

XIV. And be it enacted, That any sheriff within this state may, and he is hereby directed and required, at any time between the first day of May and the tenth day of August yearly (on notice to him given, that any inhabitant of his county indebted for officers fees, and for which an account had been before the said first day of March delivered to or left at the last place of abode of such inhabitant, is about to abscond or remove his effects from the place of his residence, whereby the said sheriff may be prevented from executing the same) to apply himself to any magistrate of his county, and the said magistrate, on such sheriff's application and oath, made by the sheriff or some other credible person, that the said sheriff or such person is informed, and verily believes, that such debtor, is about to abscond or remove his effects out of the said county, and thereby prevent the sheriff from executing such debtor, or his effects, for officers fees, so as aforesaid due,