

one Half whereof shall be applied to the Support of Government, and the other to the Informer, or such Person that will sue for the same; to be recovered in the Provincial Court of this Province, wherein no Effoin, Protection or Wager of Law shall be allowed.

C H A P.
XLVI.

IX. And the said Secretary, and his chief Clerk of the Provincial Court, shall be obliged, at the next Council after receiving any Sheriff's Bond or Bonds into the Secretary's Office, to lay the same before his Excellency the Governor of this Province, for the Time being, for his Approbation or Disallowance of the Securities taken by the County Courts. And the said Commissioners are hereby required and enjoined, to take new Security yearly, and every Year, of such Sheriffs, so long as they shall continue in the said Office, and transmit the same as aforesaid; having a special Regard not to admit any Person to be Security as aforesaid, but such as are good and substantial Freeholders within their Counties; and also to make the Obligation of such Bond, so to be taken from any Sheriff, answerable to the Public Charge of their respective Counties; which Penalty shall not be less than Two Hundred Thousand Pounds of Tobacco as aforesaid.

And laid (by the Secretary, &c.) before the Governor in Council, for his Approbation. County Courts to take new Security yearly.

X. And for the Encouragement of such Persons now bearing, or that shall hereafter bear, the Office of Sheriff, and who shall punctually comply with the Public Creditors; It is also hereby further Enacted, by the Authority, Advice and Consent aforesaid, That it shall and may be lawful for his Majesty's Governor, for the Time being, where no just Complaint is made against such Sheriffs, to continue and make good their Commission, for the Time and Term of Three Years successively, but no longer.

Sheriffs may be continued 3 Years successively in Office, and no longer.

XI. And be it further Enacted, by and with the Advice and Consent aforesaid, That if any High-Sheriff or High-Sheriffs, being indebted to any Person or Persons, shall refuse to discount or allow the same out of any Public or County Levy due from such Person or Persons, but will, notwithstanding the same Debt being due from the Sheriff, take the Body, or Goods of such Person in Execution, shall be liable to be prosecuted in an Action of Trespass, or False-Imprisonment, as the Case shall require.

Sheriffs shall discount their own Debts out of any Levies due from their Creditors; or be liable to Action, &c.

XII. And be it further Enacted, That the High-Sheriff of every respective County shall be liable to be sued as aforesaid, for his own, or any of his Deputies Offence or Offences against this Act: And the Debts mentioned, which the Sheriff may owe to any Inhabitant, are to be understood of such Debts as are assigned to the Inhabitants in the Public, County, or Parish Levy, or Forty per Poll as aforesaid, or due from the High-Sheriff, by Bill, Bond, Note, or Account proved; any Law, Usage or Custom to the contrary notwithstanding.

Not only for their own, but also their Deputies Offences herein. What sort of Debts the Sheriff shall be obliged to discount.

By 1724, ch. 21, §. 4, Sheriffs shall discount their own Debts out of any Levies, &c. and allow the Contents of any Note drawn on them by Persons having Tobacco in their Hands, in Favour of or indorsed to any Person indebted to such Sheriffs, so far as they shall owe the Drawer of such Note; without any Deduction for such Discount, on Forfeiture of 2000^{lb} Tobacco for every Offence.

XIII. And whereas there have been divers great Complaints from several Parts of this Province, to this General Assembly, of several Sheriffs and Sub-Sheriffs, that have exacted and extorted great Sums of Tobacco, above their due and lawful Fees ascertained by the Acts of Assembly of this Province, from several of the Inhabitants thereof; and though the Laws of this Province have inflicted a severe Penalty upon any Officer that shall charge and receive more than his due Fees, yet the said Officers have most cunningly and craftily evaded the said Laws, by taking Bills, or Writings obligatory, without ever delivering any Account signed under their Hands, as the Law directs, so that the Party grieved cannot sufficiently prove the said Extortion, and is thereby left without Remedy: For Prevention whereof, Be it Enacted, by

Evil Practices of Sheriffs, in taking Bonds for Fees, &c.