

exchange, by which it may appear for what consideration the same was taken, the said mortgage, note or bill of exchange, shall be void and of no effect, and the officer or officers that took the same, and his and their assigns, shall lose the said debt, and for ever be debarred from any other action for the recovery of the same, any law, usage or custom to the contrary notwithstanding.

SEC. 3. *And be it further enacted,* That whensoever any sheriff or sub-sheriff aforesaid shall, after the said first day of February next, take any bond, bill or writing obligatory, or any mortgage, promissory note or inland bill of exchange, he shall deliver to his debtor, if he shall require the same, under the hand of him the said sheriff or sub-sheriff, a fair account of the consideration for which such bond, bill or other writing obligatory, promissory note or bill of exchange, shall be taken, and if any sheriff or sub-sheriff aforesaid shall refuse or neglect to do the same, he shall forfeit and pay to the party injured the value of the sum for which such bond, bill or writing obligatory, mortgage, promissory note or bill of exchange, shall be taken, to be recovered by action of debt, or on the case, in any court that shall have jurisdiction of such sum, with double costs of suit.

On taking
bond, &c.
to deliver
an account,
&c.

SEC. 4. *And be it also enacted,* That when and as often as any sheriff or sub-sheriff aforesaid shall, after the said first day of February next, take or receive of or from any person or persons whatsoever, any fee or fees which shall be claimed to be due to such sheriff by virtue of his said office, such sheriff or under-sheriff shall, and he is hereby required, to deliver to such person or persons who shall demand the same, a fair account, in words at length, of the services for which such fee or fees became due, and give the said person from whom he shall receive the same fee or fees a receipt in writing therefor, and if any sheriff or sub-sheriff shall neglect or refuse so to do, he shall forfeit and pay to the party grieved the sum so taken and received, to be recovered as aforesaid, with double costs of suit.

An account
of fees to be
rendered,
&c.

CHAPTER 18.

A SUPPLEMENTARY ACT to the act, entitled, *An act ascertaining the height of fences, to prevent the evil occasioned by the multitude of horses, and restraining horse rangers within this province, and to redress the great evil accruing to this province by the multiplicity of useless horses, mares and colts, that run in the woods. *1715, ch. 31.

WHEREAS it is enacted by the above recited act, that whenever any horse, mare or gelding, shall break into any cornfield or other enclosure, and the owner be not known, that then and in all such cases it shall and may be lawful for the party grieved to take up such horse, mare or gelding, so trespassing, and the

Preamble.