

the inhabitants of this province, any fees to him committed to collect, where the person or persons from whom such fees appear to be due produce the former sheriff's receipt, or otherwise make appear the same to be paid, under the forfeiture and penalty of treble the sum executed to the party or parties grieved, to be recovered with cost in any court of record within this province, by bill, plaint or information, wherein no essoin, protection or wager of law to be allowed.

SEC. 7, 8, 9. A substitute therefor in 1794, ch. 51.

SEC. 10. Inconsistent with the provisions of the constitution of Maryland.

SEC. 11. *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.

They shall discount their own debts, &c.

SEC. 12. *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.

And may be sued, &c.

By 1724, ch. 21, sec. 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 endorsed 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 two thousand pounds tobacco for every offence.

SEC. 13. *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 the authority, advice and consent aforesaid,* That

Bonds to be endorsed.