

2. No Bailiff of Liberty, or his Deputy, shall return any Juror, or deliver the name of a Juror to the Sheriff, his Under-Sheriff, or Deputy, without such Addition, &c.
- Escheats.* 3. No Extract of Issues against a Juror, returned as aforesaid, shall be delivered out, renewed, or put in ure, without the Addition put in the original Pannel or Tales.
4. No Under-Sheriff, Bailiff, &c. shall collect any Issues so extracted of any other, than of such person as by the Extract is right charged or chargeable with the payment thereof.
- Penalty.* Upon pain that the Clerk writing, &c. And every person offending against that Act, shall forfeit to the Queen five marks, and to the party suffering loss, five marks.
- Justices of Peace may inquire, hear, and determine thereof, as well within Liberties as without, and make Execution for the Forfeitures. 27 El. 7.
- §. 3. Jurors.* No Sheriff, &c. shall return Juror, that cannot dispend 4 li. upon a Venue, upon pain to forfeit 20 s. 27 El. 6.
- Issues.* Upon the first *Distringas*, or *Habeas corpora*, the Sheriff, &c. shall return for Issues upon every Juror, 10 s. upon the second 20 s. upon the third 30 s. And upon every further Writ, to double the Issues, or forfeit 5 li.
- False Summons.* If any be returned Summoned, where he is not Summoned, and lose Issues for not appearing, the Sheriff, &c. in whose default it is, &c. shall forfeit double his Issues.
- Reward for sparing.* If a Sheriff, &c. shall take, or have by himself, or any other any reward or profit for sparing, not warning, or not returning a Juror to try any Issue before any Justices; the party offending shall forfeit 5 li. a moiety to the Queen, the other moiety to the Prosecutor in any Court of Record, by Action, &c. or Information. 27 El. 6.
- §. 4.* No Sheriff, for the year that he is Sheriff, shall exercise the Office of a Justice of Peace for that County; but all Acts done that year by him, by vertue of the Commission of the Peace, shall be void.
- The Reason seems to be, for that the same person cannot well exercise two Offices, especially these. For as a Justice of Peace, he is a Judge of Record, and hath power in many Cases to command the Sheriff, so cannot command himself. But this Statute requires only the forbearance of the Execution of his Office for that year; and he may continue in the Commission of the Peace.
- §. 5. Fees for Execution.* Sheriffs, &c. shall take no more for the Execution of any Extent, or Execution upon Body, Goods, or Lands, than Twelve pence in the pound for the first Hundred pound, and Six pence for every Twenty shillings more; if he do, he shall lose to the party his treble damages: And for every time he shall offend, 40 li. a moiety to the King, the other moiety for the Prosecutor, by Plaint, Action, Bill, Suit, or Information, &c. 27 El. 4.
- By the general words of which Act, it seemeth, That an Information or Bill lieth before the Justices of Peace, in Sessions.
- Also if the Debt be 160 li. there shall 100 s. fee be paid for the 100 li. and 30 s. for the 60 li. residue, *Latch*, p. 19, 51.
- And the Proviso of the Statute, That it shall not extend to Fees for any Execution in a Corporation, shall be intended of Actions arising within the Corporation: And for which, the Action is brought in the Corporation Court, and Judgment there had, and not where the Sheriff upon any Process out of a Superior Court enters a Corporation, and doth Execution. *Latch*, p. 19, 51.

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