

C H A P. XXXIX.  
Extortion.

23 H.6.10. **N**O Sheriff, Under-Sheriff, and their Clerks, Coroners, Stewards of Fees for Arrest.  
 Franchises, Bailiffs, Keepers of Prison, or other Officers or Ministers, by colour of their Office, shall take any other thing by them, or by any other person, to their use and profit, of any person to be by them Arrested or Attached, nor of any other, for the permitting any Arrest or Attachment, or of any person, to be Arrested or Attached for Fine, Fee, Suit of Prison, Mainprise, or shewing ease or favor to any prisoner but as followeth, Sheriff 20 d. Bailiff 4 d. Goaler 4 d.

23 H.6.10. No Sheriff, Under-Sheriff, Sheriffs Clerk, Steward, &c. or Coroner, Pannel.  
 shall take for making any Return, Pannel, and Copy, but 4 d.  
 The Sheriffs shall take no more than 4 d. for making any Obligation Fees for Warrant.  
 Warrant or Precept. §. 2.

23 H.6.10. He that offends shall lose to the party, his treble damages, and Forty pounds, viz. A moyety to the King, and the other moyety to the Informer.

Justices of Peace have power to inquire, hear, and determine of Office Fees without special Commission.

Extortion is an offence by the Common Law, and is punishable by Fine, and Imprisonment; and generally Fees shall not be taken at the Common Law: And where any are given by Statute, they may not be increased or enlarged, and that not only in the Court belonging to the Common Law, but in the Ecclesiastical Courts: Concerning all which, how necessary it is, that they be looked into, and moderated, any one may judge, who hath any thing to do in either Jurisdiction, who must needs see, if not feel, they are much increased, to the great oppression of Suiters, beyond the most large pretences and demands of more sober times.

For all which Extortions, Bills of Indictment will lie at the Sessions of the Peace, as it is an offence at Common Law, and where special Penalties are provided by Statutes; these must be recovered in the Method and Courts, by such Acts directed.

And to speak truth, where any Act is, either by the Common Law or Statutes appointed to be done by any publick Officer, he ought, in virtue of his place, do what is so required without taking any thing therefore, unless by lawful and reasonable usage, he hath a Fee belonging to him, or by Statute any be given him.

C H A P. XI.  
Felony.

**E**Very Justice of Peace (by force of the Commission, the first Assignatus) may cause fresh Suit, Hue and Cry, and search to be made by the Sheriff, Bailiffs, Constables, and others, upon any Robbery or Theft: And also may cause the Constables to arrest and to imprison all such as shall be suspected to be Thieves, Murtherers, or Felons. Lamb. 190.

2 & 3 Ph. & Ma. 10.

Also every Justice of Peace, may and must take the Examination of all such Felons or Persons suspected for Felony, as shall be brought before him. See hic, cap. 3.

2. And must take Information against them (of those that bring them,) of the Fact, and Circumstances of the Felony and Fact.

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