

No 29

Whereas Divers complaints have been made by several Counties of this Province occasioned for that they have been forced to pay the fees of Imprisoned Criminals the persons by whom such fees ought heretofore to have been paid or hereafter to be paid being released & going free to the great encouragement of Offenders for prosecution who of for the future Bee it enacted by the King and Queens most Excellent Majesties by and with the advice and consent of their present Generall Assembly and by the Authority of the same that from henceforward no person either Sheriffe or Goaler shall charge either their own County to which they do belong or the Publick with any fees for any Criminal committed to his or their charge having sufficient Estate in this Province wherewith to pay the same or being capable to pay the same by writted But that such Criminals being discharged by order and due course of Law shall pay his own fees to the Sheriffe or Goaler according to Act of Assembly either out of his Estate or by writted or otherwise whatsoever; and the said Sheriffe or Goaler shall not demand of such Criminal fees discharged as aforesaid by order any fee for any thing after the said order made unless the party so freed as aforesaid shall delay payment of such fees by writted or otherwise Provided always that this Act shall not extend to Male factors that are Exacted or to such other persons who are banished having no Estate in this Province or servants Criminals for whom the County shall pay the fees due to the Sheriffe in all which cases the Sheriffe or Goaler shall recover and be paid such fees by the County where the fact was committed and the Criminal residing or by the whole County at the discretion of the Justices of the Provinciaall Court, and be it further enacted by the Authority aforesaid that all and every servant Criminal for whom the County shall pay the fees due to the Sheriffe as aforesaid shall after the end and expiration of his time of writted due to his M^{ty} satisfy unto the Commissioners of the County who paid such his fees for him to the Sheriffe as aforesaid for the use of such County such

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