

That aforesaid, that no Sheriff or Sheriffs within this Province shall require ask for demand or receive of or from any person whatsoever any Fees or Reward for serving any Writt Warrant or Precept from the Governour and Council or from any Justice of Peace or for sumoning any Grand-Jury or for sumoning any Pettit Jury in Criminal Causes or for sumoning or subpoenaing any Witness or Witnesses in criminal causes against any person or persons prosecuted in any of the Courts of this Province as a criminal or for executing of any Judgment given against a Criminal but in all such cases the severall Sheriffs shall & are hereby enjoyn'd & required to execute & perform the severall things aforesaid *ex Officio*, & every Sheriff offending shall forfeit the Sum of one Thousand Pounds of Tobacco for every such offence, the one half thereof to her Majesty her heirs & Successors for the support of the Government of this Province, and the other half thereof to the party grieved to be recovered in any Court of Record of this Province by Action of Debt Bill Plaint or Information wherein no Essoyn Protection or Wager of Law to be allow'd.

And whereas many litigious persons have and for the future may commence Actions of Trespas upon the Case rather out of spite & malice than any real cause of action and not setting forth in the original Writt the cause of such Action & yet lay damage to a vast Sum to deter persons from being baile, for prevention whereof for the future,

Be it Enacted by the Authority Advice & Consent aforesaid, that in all Actions of Trespas upon the case where damages are laid to be above four thousand pounds of Tobacco if no Declaration be sent with the Writt expressing the true cause of Action the Sheriff shall not require a bail Bond exceeding the Sum of eight thousand pounds of Tobacco altho' the damages be laid in the Writt for any greater Sum whatsoever, & any Sheriff offending herein shall forfeit the Sum of four thousand pounds of Tobacco the one half thereof to her Majesty her Heirs & Successors for the support of Government, the other half to the party grieved to be Recovered in any Court of Record of this Province by Action of Debt Bill Plaint or Information wherein no Essoyn Protection or Wager of Law to be allow'd.

And to the end that publick Creditors may be speedily satisfied their debts due from the publick, Be it Enacted by the Authority Advice & Consent aforesaid, that every publick Creditor within this Province shall be at his Election to make application to the Governour of this Province for the time being to put such Sheriffs Bond or Bonds in Suit, or otherwise may immediatly have an Action of Debt against such Sheriff in the County where the Fact ariseth for such publick tobacco as shall be due to such Creditor.

And to the end that no Officer or other Person may be surprized or unjustly molested either upon the account of payment or collection of publick dues,

Be it likewise Enacted by the Authority aforesaid by & with the Advice & Consent aforesaid, that any person or persons having publick Tobacco due to them or Fees in any Sheriffs hands to collect & that do not signifie to such Sheriff or Sheriffs their dependance & resolution of making use of the same on or before the 25th day of December in the year the same shall be due to him or them shall not have take or demand any benefit or advantage by this Act allowed for that present year & so every year successively, nor shall the Sheriff of any respective County levy by way of Execution any publick Dues or Officers Fees upon the body goods or chattels of any the Inhabitants of this Province except they have made a demand thereof at or before the Twentieth Day of January for that present year & so every year successively.

And Be it also Enacted by the Authority Advice & Consent aforesaid, that any Sheriff within this Province having in his hands publick Officers Fees to collect shall not presume to levy by Execution upon the body goods & chattels of any 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 Sheriffs Receipts or otherwise make appear the same to be paid under forfeiture & penalty of treble the Sum executed to the party or partys griev'd to be recover'd with cost in any Court of Record within this Province by Bill Plaint or Information wherein no Essoyn Protection or Wager of Law to be allow'd.

And forasmuch as Sheriffs Bonds have of late years been usually taken in the County Courts for the better conveniency of Sheriffs getting security without any certain form thereof prescribed,

Be it therefore Enacted by the Authority Advice & Consent aforesaid, that all Sheriffs Bonds hereafter to be taken throughout this Province shall be made in manner and form following, (that is to say)