

tant, because he was too ill to be removed, or for any other good cause, to appoint any other reasonable time for producing him, in which case he shall enter judgment, and issue execution against the said constable on default of producing the body of the defendant, in the manner before directed; and provided, that before any execution shall be issued against the said constable, the plaintiff, or his agent or attorney, shall make it appear to the satisfaction of the said justice that he has made or tendered to the said constable an assignment of his cause of action against the defendant.—*ibid.* § 11.

12. In case any sheriff shall neglect to make due return of any execution directed to him, the justice who issued it, on proof of the delivery to the said sheriff, or either of his deputies, may fine such sheriff for every such neglect not exceeding 10s. current money; and in case any sheriff shall make due return of any execution, by which it shall appear that he has taken the body of the defendant, and shall fail to produce him, the justice before whom returned, at the request of the plaintiff, his agent or attorney, at any time within 60 days from the return day, may enter judgment for the plaintiff against the said sheriff for the amount of the debt and costs, on which judgment execution may be issued, directed to the coroners of the county, or either of them, who shall execute the same; but such judgment shall not be entered until proof shall be made, on oath, or affirmation, that the debt and costs have been demanded by the plaintiff, his agent or attorney, of the sheriff, and that he neglected to pay the same.—*ibid.* § 12.

13. If any sheriff, against whom judgment shall be entered, shall satisfy the plaintiff his debt and costs, he shall have the same remedy against the defendant on the plaintiff's judgment against him, as the plaintiff himself might originally have had.—*ibid.* § 13.

14. Any justice, imposing any fine by virtue of this act, may issue execution for the same, in the nature of *capias ad satisfaciendum* or *feri facias*, directed to the sheriff, or coroner, and applied towards defraying the county charge.—*ibid.* § 14.

15. Upon any arrest made by any constable on any warrant issued in virtue of this act, he shall take bond from the person arrested, in a sum not exceeding 15l. conditioned for his appearance before a justice of the peace of the same county, to be named in the said condition, on the return day of the warrant, to answer the suit of the plaintiff, and in case of refusal to give such bond, with sufficient security, such constable may lodge such person in the common gaol of the county, until the return day of the said warrant.—*ibid.* § 16.

16. The acts of 1715, c. 12. 1763, c. 21, and continuing acts; June, 1777, c. 12, and continuing acts; and April, 1787, c. 16, and continuing acts, repealed.—*ibid.* § 17.