

G. H. A. P.
XLVI.

committed to collect, where the person or persons from whom such fees appear to be due produce the former sheriff's receipt, or otherwise make appear the same to be paid, under the forfeiture and penalty of treble the sum executed to the party or parties grieved, to be recovered with cost in any court of record within this province, by bill, plaint or information, wherein no essoin, protection or wager of law to be allowed.

Form of a sheriff's bond.

VII. AND, forasmuch as sheriffs bonds have been, of late years, usually taken in the county courts, for the better conveniency of sheriffs getting security; for ascertaining the form whereof for the future, BE IT ENACTED, *by the authority, advice and 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, "Maryland, sc. Know all men by these presents, that we A. B. — of — county, in the province aforesaid, are holden and firmly bound to our sovereign lord king George, &c. in the full sum and just quantity of two hundred thousand pounds of good, sound, merchantable leaf tobacco, and cask, to be paid to his said majesty, his heirs and successors; to the which payment well and truly to be made, we bind ourselves and every of us, our and every of our heirs, executors and administrators, jointly and severally, for the whole and in the whole, firmly by these presents. Sealed with our seals; and dated the — day of — in the — year of his majesty's reign, *annoque domini 17—*. The condition of the above obligation is such, that if the above bounden A. B. do well and truly serve his sacred majesty, his heirs and successors, in the office of high sheriff of the county of —, within the province aforesaid, and in all things well and faithfully execute the same office, and also shall render to his said majesty, and other his officers, a true, faithful and perfect account of all and singular his said majesty's rights and dues, and to his officers a true and just account of their fees, that he shall or may be intrusted with by his said majesty's governor, and other his officers within this province, to receive and collect, and his account to his said majesty, his heirs and successors, and to his and their governor here for the time being, for the fines and forfeitures, and other dues belonging to his said majesty's governor, as also his account of all fees, dues and sums of money or tobacco due to any of the good people within this province, for any sum or sums of money or tobacco, wherewith the said sheriff shall be intrusted during the time of his shrievalty for this present —, or to such of them as shall require the same, shall pass and render, by the tenth day of May next ensuing the date hereof, and in all other things as sheriff of the county of — shall behave himself well and honestly towards all persons, according to the best of his power, skill and knowledge; then this obligation to be void, and of no effect, or else to stand in full force, strength and virtue."

A different form is prescribed by 1794, ch. 54, section 8.

To be transmitted, &c.

VIII. WHICH said bond, taken in form aforesaid, if by the county court, the commissioners thereof shall yearly transmit the same unto the secretary's office, within two months after the taking thereof, in default whereof, the commissioners of any county court taking such bond, and not causing the same to be so transmitted within the time aforesaid, shall forfeit to his majesty, his heirs and successors, fifteen hundred pounds of tobacco, the one half whereof shall be applied to the support of government, and the other to the informer, or such person that will sue for the same, to be recovered in the provincial court of this province, wherein no essoin, protection or wager of law shall be allowed.

And laid before the governor, &c.

IX. AND, The said secretary, and his chief clerk of the provincial court shall be obliged, at the next council after receiving any sheriff's bond or bonds into the secretary's office, to lay the same before his excellency the governor of this province for the time being, for his approbation or disallowance of the securities taken by the county courts; and the said commissioners are hereby required and enjoined to take new security, yearly and every year, of such sheriffs, so long as they shall continue in the said office, and transmit the same as aforesaid, having a special regard not to admit any person to be security as aforesaid but such as are good and substantial freeholders within their counties; and also to make the obligation of such bond, so to be taken from any sheriff, answerable to the public charge of their respective counties, which penalty shall not be less than two hundred thousand pounds of tobacco as aforesaid.

The provisions in the 8th and 9th sections are altered by 1794, ch. 54.

Sheriffs may be continued.

X. AND, for the encouragement of such persons now bearing, or that shall hereafter bear the office of sheriff, and who shall punctually comply with the public creditors, IT IS ALSO HEREBY FURTHER ENACTED, *by the authority, advice and consent aforesaid*, That it shall and may be lawful for his majesty's governor for the time being, where no just complaint is made against such sheriffs, to continue and make good their commission, for the time and term of three years successively, but no longer.

See the constitution, section 43.

XI. AND