

XI. AND BE IT FURTHER ENACTED, *by and with the advice and consent aforesaid*, That if any high sheriff or high sheriffs, being indebted to any person or persons, shall refuse to discount or allow the same out of any public or county levy due from such person or persons, but will, notwithstanding the same debt being due from the sheriff, take the body or goods of such person in execution, shall be liable to be prosecuted in an action of trespass, or false imprisonment, as the case shall require.

C H A P.  
XLVI.  
They shall dis-  
count their  
own debts, &c.

XII. AND BE IT FURTHER ENACTED, That the high sheriff of every respective county shall be liable to be sued as aforesaid, for his own, or any of his deputies offence or offences against this act, and the debts mentioned, which the sheriff may owe to any inhabitant, are to be understood of such debts as are assigned to the inhabitants in the public, county or parish levy, or forty per poll as aforesaid, or due from the high sheriff by bill, bond, note or account proved, any law, usage or custom to the contrary notwithstanding.

And may be  
sued, &c.

*By 1724, ch. 21, section 4, sheriffs shall discount their own debts out of any levies, &c. and allow the contents of any note drawn on them by persons having tobacco in their hands, in favour of, or endorsed to any person indebted to such sheriffs, so far as they shall owe the drawer of such note, without any deduction for such discount, on forfeiture of 2000 lb. tobacco for every offence.*

XIII. AND, whereas there have been divers great complaints from several parts of this province to this general assembly, of several sheriffs and sub-sheriffs that have exacted and extorted great sums of tobacco, above their due and lawful fees ascertained by the acts of assembly of this province, from several of the inhabitants thereof, and though the laws of this province have inflicted a severe penalty upon any officer that shall charge and receive more than his due fees, yet the said officers have most cunningly and craftily evaded the said laws, by taking bills, or writings obligatory, without ever delivering any account signed under their hands, as the law directs, so that the party grieved cannot sufficiently prove the said extortion, and is thereby left without remedy; for prevention whereof, BE IT ENACTED, *by the authority, advice and consent aforesaid*, That no sheriff or sub-sheriff within this province, after the publication of this act, in their several and respective counties wherein they dwell, shall take any bond, bill, or any other writing obligatory, of any person or persons, upon any pretence whatsoever, without endorsing the account on the back of the said bond, bill, or writing obligatory, for which the same was passed; and if any sheriff or sub-sheriff within this province shall, during the time that he remains in his place or office, upon any pretence whatsoever, take any bill, bond or writing obligatory, without endorsing the account on the backside of the said bond, bill, or writing obligatory, as aforesaid, by which it may appear upon what consideration the same was taken, the said bond, bill, or writing obligatory shall be void, and of no effect, and the officer or officers that took the same shall lose his debt, and for ever be debarred of suing any other action for the recovery of the same, any law, statute or usage to the contrary in anywise notwithstanding.

Bonds to be  
endorsed.

*By 1769, ch. 15, no sheriff, &c. shall take any mortgage, promissory note, or inland bill of exchange, without endorsing on what account, &c. And no sheriff shall take any bond or other writing, or receive any money claimed under his office, without delivering a fair account of the consideration.*

XIV. AND, that whereas the said officers are prohibited from taking bills upon any pretence whatsoever, otherwise than as is directed by this act, during the time they remain in office, to the intent the said officers may receive no damage by the act of assembly for limitation of actions, BE IT FURTHER ENACTED, *by the authority aforesaid*, That the time the said officers remain in office shall not be reckoned or accounted in the act of limitation.

Time not to be  
reckoned.

XV. AND, that whereas it hath been the practice of several sheriffs of this province, where a person hath been in prison at the suit of two or three several persons, or hath lain for the satisfaction of two or more several judgments, for the sheriff to charge imprisonment fees for each action or judgment; for prevention whereof for the future, BE IT ENACTED, *by the authority aforesaid*, That it shall not be lawful for any sheriff within this province to take any more fees for keeping any prisoner, though he be in prison at the suit of two or three several persons, or for several judgments, than if he was in prison only at one suit, or for one cause, under the pains and penalties mentioned in the (a) act for limitation of officers fees, against the offenders thereof.

Single fees on-  
ly allowed.

(a) 1794, ch. 86, which expired 1719.

XVI. AND BE IT FURTHER ENACTED, That a certain act of assembly of this province, entitled, An act restraining the extortions of sheriffs, sub-sheriffs, and deputy-commissaries, made at a session of assembly, begun and held at the city of Annapolis the twenty-sixth day of April, *anno domini* one thousand seven hundred and four, and one other act of assembly, entitled, An act of directions for the sheriff's office, in this province, and for the more easy payment of the public and county levy, made at a session of assembly, begun and held at the city of Annapolis the twenty-second day of October, *anno domini* seventeen hundred and thirteen, be and are hereby repealed and made void.

Acts repealed.