

Lib. L. L. the same But if the remaining part of such Hogshead of Tobacco so seized as aforesaid and belonging to the party or
 No. 64. p. 6 partys paying the same shall be the less Quantity than is due to the said Sheriff or Sheriffs for leavys as aforesaid then and in every such Case the Owner or Owners of such Tobacco shall take out the Overplus of such Tobacco and the Hogshead with the remaining part shall belong to such sheriff or Sheriffs receiving.

And be it further enacted by the Authority aforesaid by and with the Advice and Consent 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 Summoning any Grand jury or for Summoning any petty Jury in Criminall Causes or for Summoning or Subpaing any Witness or Witnesses in Criminall Causes against any person or persons prosecuted in any of the Courts of this province as a Criminall or for executing of any Judgment given against a Criminall but in all such Cases the severall Sheriffs shall and are hereby injoynd and required to execute and performe the severall things aforesaid ex officio and every Sheriff offending shall forfeit the Summe of one thousand pounds of Tobacco for every such Offence the one half thereof to her Majesty her heires and 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 allowed.

And whereas many Litigious persons have and for the future may comence Accons of trespass upon the Case rather out of Spite and Malice than any reall Cause of Accon and not setting forth in the Originall Writt the Cause of such accon and yet lay Damage to a vast sume to deter persons from being baile for prevention whereof for the future.

Be it enacted by the Authority Advice and Consent aforesaid that in all Actions of trespass 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 Accon the Sheriff shall not require a baile bond exceeding the sume of eight thousand pounds of Tobacco altho' the Damage be laid in the Writt for any greater sume whatsoever and any Sheriff offending herein shall forfeit the summe of four thousand pounds of Tobacco the one half thereof to her Majesty her heires and Successors for the support of Government the other half to the party grieved to be recovered in