Anno ſeptimo

Georgii III. Regis.

CAP. XXIX.

An Act for explaining an Act made in the Twenty ninth Year of the Reign of Queen *Elizabeth*, to prevent Extortion in Sheriffs, Under-Sheriffs, and Bailiffs of Franchiſes or Liberties, in Caſes of Execution.

WHEREAS by an Act made in the Twenty ninth Year of the Reign of Queen Elizabeth, intituled, An Act to prevent Extortion in Sheriffs, Under-Sheriffs, and Bailiffs of Franchiſes or Liberties, in Caſes of Execution; it is, amongſt other Things, enacted, That it ſhall not be lawful to or for any Sheriff, Under-Sheriff, Bailiff of Franchiſes or Liberties, nor for any of their Officers, Miniſters, Servants, Bailiffs, or Deputies, nor for any of them, by reaſon or colour of their or either of their Office or Offices, to have, receive, or take, of any Perſon or Perſons whatſoever, directly or indirectly, for the ſerving and executing of any Extent or Execution upon the Body, Lands, Goods, or Chattles, of any Perſon or Perſons whatſoever, more or other Conſideration or Recompence than in this preſent Act is and ſhall be limited and appointed, which ſhall be lawful to be had, received, and taken; that is to ſay, Twelve Pence of and for every Twenty Shillings, where the Sum exceedeth not One hundred Pounds; and Six Pence of and for every Twenty Shillings, being over and above the ſaid Sum of One hundred Pounds, that he or they ſhall ſo levy or extend, and deliver in Execution, or take the Body in Execution for, by virtue and by force of any ſuch Extent or Execution whatſoever: And whereas, as the Law now ſtands, Sheriffs are, by virtue of the

Preamble, reciting Clauſe in Act 29 *Eliz.*

said recited Act, intitled to the Poundage therein mentioned, for taking the Body of any Person in Execution, upon Judgements obtained upon Bail Bonds, entered into for the Appearance of Persons prosecuted for Offences against the Laws relating to His Majesty's Revenues of Customs or Excise, such Bail Bonds being prosecuted in the Name and at the Suit of the Sheriffs to whom such Bail Bonds are given, though the Sheriffs prosecuting such Bonds are merely Trustees in the Suits, for the Benefit of the Crown, and the Sheriffs executing such Process would not in those Cases be intitled to any Poundage, if the Proceedings were carried on in the Name of the Crown; by Means whereof the Intent of the Laws relating to the Revenues of the Customs and Excise, will in such Cases be so far defeated: To remedy which Inconvenience for the future, May it please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall not extend, or be construed to extend, to allow any Sheriff, Under Sheriff, or other Person whatsoever employed in the Execution of Process, any Poundage for taking the Body of any Person in Execution, upon any Process at the Suit of any Sheriff, or other Officer or Minister of the Crown, upon any Bail Bond entered into for the Appearance of any Person prosecuted, either for any Duties due or payable to His Majesty, His Heirs, or Successors; or for any Penalty inflicted by any Act of Parliament made or to be made for the preventing the clandestine Running or Receiving any customable or prohibited Goods; or in any Case whatsoever where the Sheriff or Officer executing such Process would not be intitled to Poundage, if the Proceedings were or had been carried on directly in the Name of the Crown; any thing in the said recited Act, or any other Act, to the contrary notwithstanding.

Cases wherein Sheriffs, &c. are declared not intitled to Poundage, by virtue of the recited Act.

FINIS.