

Penalty for demanding greater fees.

XX. *And be it further enacted*, That if any Justice or Justices, Commissioner or Commissioners, Sheriff or Constable, shall ask, demand or receive, any other or greater fees than are herein allowed, he or they shall forfeit and pay a fine of five pounds, together with costs, to be recovered in any action or suit by him or them that will sue for the same in any Court of Record within the County where such greater fee or fees than are herein allowed shall have been received; which Court of Record shall hear and determine such action in a summary way.

Subpœnas may be issued by Commissioners

XXI. *And be it further enacted*. That the said Court shall have power to issue Subpœnas for the attendance of witnesses resident in any part of the County or District where such Commissioners shall sit, and to compel their attendance by such ways and means as are adopted by the Supreme Court.

Proviso.

XXII. *Provided always*, That this Act, and no part thereof shall extend, or be construed to extend, to the Town of Halifax, where Commissioners are appointed under and by virtue of an Act, passed in the last Sessions of the General Assembly, entitled, An Act for the Summary Trial of Actions.

Act of the last Session of General Assembly for the Summary Trial of Actions, continued for Halifax.

XXIII. *And be it further enacted*, That the said Act, passed in the last Session of the General Assembly, entitled, An Act for the Summary Trial of Actions, be continued, and in force, for the Town of Halifax, and the same is hereby continued and in force for the Town of Halifax for one year, and from thence to the end of the next Session of the General Assembly, and no longer.

Sheriff liable for over-holding monies received under Execution, &c.

XXIV. *And be it further enacted*. That if any Sheriff, Deputy-Sheriff, or Constable, shall levy or receive any sum or sums of money by virtue of any Execution, Writ, or Process, and shall detain the same in his hands for the space of twenty-four hours after the same shall have been demanded, then such Sheriff, Deputy-Sheriff, or Constable, shall forfeit to the party entitled to receive such sum or sums of money, for each and every week that he shall detain the same, the sum of five shillings for each and every pound which he shall so detain after demand made as aforesaid; to be recovered before any Justice of the Peace for the County or District where such Sheriff, Deputy-Sheriff, or Constable, shall reside.

Act continued one year.

XXV. *And be it further enacted*, That this Act shall be and continue in force for one year from the publication thereof, and from thence to the next Session of the General Assembly.

CAP. XI.

An ACT for new Executions to be sued against Persons who shall hereafter be delivered out of Execution by privilege of either House of the General Assembly, and for discharge of them out of whose custody such persons shall be delivered.

Preamble.

FORASMUCH as heretofore doubt hath been made if any person being arrested in Execution, and by privilege of either of the Houses of the General Assembly of this Province, set at liberty, whether the party at whose suit such execution was pursued, be forever after barred and disabled to sue forth a new writ of Execution in that case; for the avoiding of all further doubts and trouble which in like cases may hereafter ensue:

Execution may be issued after privilege ceases

I *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That, from henceforth, the Party, at or by whose suit such writ of Execution was pursued, his executors or administrators, after such time as the privilege of that Session of the General Assembly, in which such privilege shall be so granted, shall cease, may sue forth, and execute, a new writ or writs of Execution,