

quire summarily into the case and may order the money extorted to be refunded, and set such fine on the offender, as to such Judge may seem meet.

plain to him, to enquire into such matter in a summary way, and for that purpose to summon and enforce the attendance of all necessary parties, and to make such order thereupon for the repayment of any money extorted, or for the due payment of any money so levied or received as aforesaid, and for the payment of such damages and costs to the parties aggrieved, as the Judge shall think just; and in default of payment of any money so ordered to be paid by such Bailiff, within the time specified for the payment thereof in such order, it shall be lawful for the Judge, by warrant under his hand and seal, to cause such sum to be levied by distress and sale of the goods of the offender, together with the reasonable charges of such distress and sale, and in default of such distress, to commit the offender to the common Gaol of the District, for any period not exceeding three calendar months.

Clerks, Bailiffs or other officers taking any greater fees than those allowed by this Act, to be incapable of holding office, and also liable in damages.

LVII. And be it enacted, that if any Clerk, Bailiff, or other Officer employed in putting this Act, or any of the powers thereof into execution, shall exact, take, or accept any fee or reward whatsoever, other than, and except such fees as are or shall be appointed and allowed respectively, as aforesaid, for or on account of any thing done or to be done by virtue of this Act, or on any account whatsoever, relative to putting this Act into execution, every such person so offending shall, upon proof thereof before the said Court, be for ever incapable of serving or being employed under this Act, in any office of profit or emolument, and shall also be liable in damages to the party aggrieved.

If any action which might be brought in a Division Court shall be brought in any superior Court of Record, and the Plaintiff shall not have verdict for more than ten pounds, he shall have no costs.

Exception.

LVIII. And be it enacted, that in case any action shall be prosecuted after the commencement of this Act, in any superior Court of Record, for any cause which might have been entered in a Division Court under this Act, and the verdict shall be found for the plaintiff for a sum not exceeding ten pounds, such plaintiff shall have judgment to recover such sum only, and no costs, and shall have execution only against the goods and chattels of the defendant, and shall not at any time be allowed to maintain any action on such judgment, in any Court, and if a verdict, shall not be found for the plaintiff, the defendant shall be entitled to his costs as between Attorney and Client, unless in either case, the Judge who shall try the cause shall certify on the back of the record, that the plaintiff had a probable cause of action for the debt or damages sought to be recovered in such action, to an amount exceeding ten pounds.

Informalities in any part of the previous proceedings shall not make a person levying and dis-

LIX. And be it enacted, that when any levy or distress shall be made, for any sum of money to be levied by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party or parties making the same, be deemed a trespasser or trespassers, on account of any defect or want of form in the information, summons, conviction, warrant, precept or other proceeding relating thereto;