

for the sheriff to proceed immediately to collect the money, in the manner now provided for by law.

On motion by Mr. Barnes, the question was then taken, and resolved in the affirmative, That the third, fourth, fifth, sixth and seventh sections of the bill, be also stricken out? viz.

Sec. 3. And be it enacted, That upon all trials under this act, it shall be the duty of the magistrate to endorse on the account, his decision in the case, and he shall make a docket entry of the same, which he shall carefully preserve, and in all cases, where a magistrate shall determine that the fees, or any part of them charged are due from the person charged, and shall so endorse on the account, it shall be the duty of the sheriff to proceed to collect the same, in the manner now provided for by law, unless the party so decided against, shall at the time of the decision, declare his intention to appeal, and enter into bond with one good security, in the penalty of fifty dollars for his appearance, and prosecuting said appeal at the next county court, in which case the sheriff shall not proceed, and in cases where a magistrate shall determine that the fees charged are not due, it shall not be lawful for the sheriff to proceed to collect the same.

Sec. 4. And be it enacted, That in all cases where either party may consider themselves aggrieved, it shall be lawful for them to bring the matter before the county court, at the next sitting of said court, by motion of the party or his attorney, and said court may proceed to determine said cause ex parte, if they shall be of opinion, that justice can be done in that way, or they may cause subpoena to issue for the adverse party, and if said court shall be of opinion that the furtherance of justice requires it, they may postpone or continue such cases to the next succeeding term of said court, and the decision of the court when made shall in all cases be final.

Sec. 5. And be it enacted. That in all cases where a magistrate shall decide against an officer putting fees in the hands of a sheriff for collection, and the court shall afterwards reverse said decision, it shall be lawful for the fees, with such costs as may have accrued thereon, to be placed in the hands of the sheriff, who shall proceed to collect the same in the manner now provided for by law.

Sec. 6. And be it enacted. That it shall and may be lawful for sheriffs to act as agents or attorneys, for officers putting fees in their hands for collection, for the purpose of bringing the same before their respective courts.

Sec. 7. And be it enacted, That for the trial of any cause under the provisions of this act, and making the ne-