

ought not to be paid, or that the said defendant was not indebted to the said plaintiff at the time of issuing said attachment; and the said condemnation shall be a good bar, and so pleadable, to any suit or action brought against the garnishee or garnishees.

Bar in action.

SEC. 15. *And be it enacted*, That on all judgments of the said district court, the party in whose favour the same may be rendered, shall on application to any one of the justices thereof, have process or execution thereon for obtaining the satisfaction of such judgments, and it shall be lawful for any one of the said district justices to issue a fieri facias or capias ad satisfaciendum upon such judgments, returnable to the said district court, in the same manner and form as now legally used and practised by a single justice of the peace in cases within his jurisdiction, and all process or precepts of whatsoever kind, except executions for fines, penalties and forfeitures, so to be issued by the said district justice, or district court, shall be directed to and served and executed by the sheriff of the county, or some constable residing within the election district in which the said district court is held.

Proceedings to satisfy judgments.

Fi. fa. capias.

Directed to sheriff or constable residing in district.

SEC. 16. *And be it enacted*, That nothing herein contained shall be construed to prevent the said district justices from acting as justices of the peace out of court, within their respective counties, for which purpose they shall keep a separate docket, as is now required to be kept by single justices of the peace, and shall be entitled to the same fees for his services, and for all services by the said district justices, as such respectively performed out of court, and for all services by each of the district courts respectively performed, they shall respectively have, charge and be entitled to receive the same fees which a single justice of the peace now has for the like or similar services where the demand, in controversy, does not exceed fifty dollars, and in all cases where the demand in controversy exceeds the sum of fifty dollars, they shall respectively charge, have and be entitled to receive the following fees, to wit: for writing probate, six cents; each oath or affirmation, six cents; issuing warrant and making docket entry, twenty-five cents; issuing summons, including all the witnesses applied for at the same time, twenty-five cents; rendering judgment on all trial cases, fifty cents; entering judgment by confession, twenty-five cents; entering continuance, twelve and a half cents, to be paid by the party applying for the same; *Provided*, objection shall be made by the opposite party; taking supersedeas, twelve and a half cents; filing and entering supersedeas, if taken by other justices of the peace, twelve and a half cents; search or transcript from docket, twelve and a half cents; taking recognizance, twenty-five cents; issuing writ of replevin, twenty-five cents; issuing writ of attachment, twenty-five cents; issuing execu-

Judge to act as justice of peace out of court. Separate docket. Compensation for services.

Under \$50.

If over \$50, fees.