

services you shall do as deputy clerk of the said office; and also, that in making out of the office fees, you will not wittingly or willingly charge other or higher fees than limited by the act, entitled, An act for the regulation of officers' fees; which said oaths before mentioned shall be severally returned by the judge, justice or alderman, before whom the same shall be taken, to the general court or county offices, as the case shall require, within twenty days after the taking thereof, under the penalty of twenty pounds for every neglect, and shall there be recorded by the clerk of such court, under the penalty of twenty pounds for every neglect.

Proceedings not to be recorded &c.

SEC. 10. *And be it enacted*, That in all actions or suits brought or prosecuted, or hereafter to be brought or prosecuted, in any of the courts in this state, and the same are or shall be entered agreed, struck off, discontinued or abated, or shall be otherwise ended before final judgment or final decree, the proceedings shall not be recorded, unless at the request of the plaintiff or defendant, or his agent or attorney, signified in writing, directed to the clerk of the said courts respectively; and if the same proceedings be recorded without such request, no fees whatever shall be payable for such service; and all officers mentioned by this act shall be obliged to set up in the most public place of his office, and there constantly keep, a fair table of the fees rated and established by this act, under the penalty of fifty pounds for every month he shall neglect to do the same.

The manner in which the proceedings of the courts of justice are to be recorded can be gathered from this section, in connection with 1817, ch. 119, and 1826, ch. 247.

SEC. 11. By 1822, ch. 219, fees may be sent out at any time, but cannot be executed for until sixty days after delivery, unless the party is about to abscond or remove.

Surveyor not to be paid for erroneous certificates, &c.

SEC. 12. *And be it enacted*, That where any surveyor returns a certificate for the examination of the examiner-general, and the same shall be by him found erroneous, in such case the party, for whose use such survey is made, shall not be burthened with any fees on such erroneous certificate, either by the examiner-general or surveyor, but the surveyor returning such erroneous certificate, shall pay the examiner-general for his trouble in examining the same, one-third part of such fees as by this act are allowed to the examiner-general.

Sheriff may execute, &c.

SEC. 13. *And be it enacted*, That any sheriff within this state may, and he is hereby directed and required, at any time between the first day of May and the tenth day of August yearly, (on notice to him given that any inhabitant of his county indebted for officers' fees, and for which an account had been, before the said first day of May, delivered to or left at the last place of abode of such inhabitant, is about to abscond or