

remove his effects from the place of his residence, whereby the said sheriff may be prevented from executing the same,) to apply himself to any magistrate of his county, and the said magistrate, on such sheriff's application, and oath made by the sheriff or some other credible person, that the said sheriff or such person is informed, and verily believes, that such debtor is about to abscond or remove his effects out of the said county, and thereby prevent the sheriff from executing such debtor, or his effects, for officers' fees so as aforesaid due, and that an account had been delivered or left, as by this law is directed, (which oath shall be reduced to writing, signed, and left with the said magistrate, and by him returned to the next county court,) shall give the said sheriff a warrant from under his hand and seal, and thereby direct and empower the said sheriff to execute the said debtor, or his effects, for the fees so as aforesaid due, in money, at the rate hereafter specified, which the said sheriff shall do without any execution fee.

The provisions in this section have been modified by 1822, ch. 219.

SEC. 14. *Provided always, and be it enacted*, If any debtor, Proviso. absconding, or about to abscond, or remove his effects, will give such sheriff good and sufficient security for the payment of all such officers' fees, that in such case the sheriff shall and he is hereby obliged to take the same.

See preceding note.

SEC. 15. *And be it enacted*, That all costs recovered by judgment, or decree, shall hereafter be payable and paid in money, and not otherwise. To be paid in money.

SEC. 16. The duties prescribed in this section are transferred from the county courts to the levy courts, and other local authorities since substituted for the levy courts.

SEC. 17. *And be it enacted*, That if any person, chargeable with officers' fees as aforesaid, shall neglect or refuse to pay the same within the time aforesaid, it shall be lawful for the sheriffs, immediately after the tenth day of August yearly, to distrain the goods and chattels of the person so neglecting or refusing, and to sell and dispose thereof, at the expiration of five days after distress made, at public auction, all which shall be done by the said sheriff without fee or reward, and the overplus, beyond what will satisfy the demand aforesaid, shall be returnable to the debtor. Sheriff may distrain goods, &c.

This section was excepted out of the continuing act of October, 1780, ch. 25, but this act has since been continued by several other acts. See preceding notes.

SEC. 18. *And be it enacted*, That if any person indebted for such fees shall refuse to pay the same within the time aforesaid, or shall, on demand, neglect or refuse to shew to the sheriff goods or chattels to be distrained to the value of such fees, Persons may be executed, &c.