

sheriff of the county, and returnable to the county court at the next succeeding term, or may commit the party to the jail of the county until the same be paid, and it shall be the duty of the said district court to give certificates to each and every person, to whom any part of the said costs may be due, either for attendance as a witness, for serving process, or otherwise, of the respective portions due to them of the said costs, upon which the said sheriff shall be authorised and required to pay over all such portions of the cost when collected, to the persons so entitled to receive the same, but in case the party accused shall be acquitted or be insolvent, all such costs shall be taxed up against the county, and upon such certificates as aforesaid, to be made and delivered to the persons entitled to receive the same, the levy court or commissioners of the county are hereby required to levy the several sums in the county charges, for and in the name of the several persons holding such certificates; *Provided however*, that the said court shall not exercise the criminal jurisdiction aforesaid in any case when the attorney general or his deputy for the judicial district in which the court may be, or any other person authorised by the said court to prosecute in behalf of the State, in the particular case, shall dissent from the courts exercising the same, and shall in writing express such dissent to the court, before the particular case shall have been tried, unless the three judges of said court shall unanimously determine notwithstanding such dissent to take cognizance of such case.

CHAP. 201.

Or commit

Certificates to witnesses, &c.

Sheriff to pay over

But in case of acquittal, &c.

Levy directed

Case of States attorney dissenting

SEC. 9. *And be it enacted*, That at the session of the said district courts, held as hereinbefore provided, the said court or any one justice thereof in the absence of the others, shall have power to adjourn at discretion from day to day, until the business before them is discharged, or to the next monthly meeting of the said court, and the chief justice of the said court, or presiding justice, shall proclaim the opening and closing and the adjournments of the said court, in the presence and hearing of such persons as may be present, and enter the same in a minute book to be kept for that purpose; and the said district court shall have power

Case of non attendance of justices —adourn court

Proclamation