

and sentence therein in the same manner and to the same extent as the circuit court for said counties could in such cases, if such cases were tried before them without the intervention of a jury; provided, however, that if any person, when brought before any such justice having jurisdiction of the case, shall before trial for the alleged offence pray a jury trial, or if the State's attorney for said county shall, before the trial of such alleged offence, pray a jury trial on the part of the State, it shall be the duty of any such justice to commit such alleged offender for trial in the circuit court for the county in which the offence was committed at its then session, if it be then in session, or at its next session, if it be not then in session, and to return said commitment or recognizance, with the names and residences of the witnesses for the prosecution endorsed thereon, forthwith to the clerk of the said court; and the justice before whom the case is tried shall inform the person charged of his right to a jury trial.

1884, ch. 510.

87. Constables in the said counties shall be entitled to the fees prescribed by law for the particular services rendered by them under the preceding section; and the said justices shall be entitled to charge for their respective services in said criminal cases the following fees: For issuing each State writ, twenty-five cents; for summoning all the witnesses on both sides in any case, fifty cents; for each trial, one dollar; for every commitment, twenty-five cents; for every release, twenty-five cents; for taking recognizances in each case reported to the circuit court, twenty-five cents each; for each attachment for contempt, twenty-five cents.

Ibid.

88. The aforesaid fees of said constables and justices for said counties shall be taxed against and paid by the party against whom judgment shall be rendered, unless he be discharged therefrom by due course of law; if such party against whom judgment is rendered is unable to pay the same, such fees shall be paid by the county wherein said judgment was rendered; and all fines and penalties received by any justice under the provisions of section 86 shall be accounted for and wholly paid, without abatement or deduction therefrom by such justice, to the county commis-