

C H A P.  
LXXIV.

by this act directed to be held in different months from those mentioned in the said acts of assembly, or any of them, it shall be lawful for the justices of the county courts, to be commissioned in virtue of this act, to do and perform all such matters and things at such time in each year as they shall think convenient, either at their court in course, or at an adjourned court.

Fees to justices.

XXX. AND, whereas the office and duties of justices of the peace are considerably increased in the several counties of this state, and it is reasonable that every person who dedicates his time or labour to the public should receive a reasonable and adequate compensation for his services, BE IT ENACTED, That it shall and may be lawful for the several justices of the peace, and associate justices, in the several counties of this state, to ask and receive the fees allowed and limited by this act for services expressed in the following table, and such fees shall be taxed and paid by the party against whom judgment shall be rendered, to wit: For issuing a warrant for debt, twelve and an half cents; for each summons, including all the witnesses applied for at the same time, twelve and an half cents; *venire* to summon freeholders, twenty cents; *capias ad satisfaciendum*, twelve and an half cents; *feri facias*, twelve and an half cents; *scire facias*, twelve and an half cents; recognizance for defendant's appearance, twelve and an half cents; every supersedeas, each justice twelve and an half cents; every oath or affidavit, six cents; probat of account, six cents; every judgment rendered, twelve and an half cents; commitment, twelve and an half cents; release, twelve and an half cents; warrant of attachment, twenty-five cents; attendance on valuation of orphans estates, per day two dollars; return thereon, seventy-five cents; *venire* to summon a jury in a forcible entry and detainer, seventy-five cents; taking inquisition and return thereon, four dollars; warrant of restitution, seventy-five cents; taking acknowledgment of any deed, each justice twenty-five cents, including all the persons acknowledging at the same time; taking any other acknowledgment, twelve and an half cents; taking appeal bond, twenty-five cents; taking a bail-piece to the general or county courts, twenty-five cents; a pass, twenty-five cents; certificates of strays, thirty-seven and an half cents; taking inspectors bonds, each justice twenty-five cents; probat of county clerk's bond, each justice twenty-five cents.

Justice to write probats, &amp;c.

XXXI. AND BE IT ENACTED, That it shall be the duty of all and every justice of the peace to write and prepare all probats, affidavits, supersedeas, and other instruments to be executed by them in virtue of this law, when required, except in cases of acknowledgment of deeds.

And take an oath, &amp;c.

XXXII. AND BE IT ENACTED, That every justice of the peace, or associate justice, before he acts as such, shall take an oath, that he will not, directly or indirectly, receive any greater fee or reward for any thing in his office as justice of the peace than what is allowed by this act; and if any associate justice, or justice of the peace, by colour of his office, shall receive any fee or reward for any service not specified in this act, or if any associate justice, or justice of the peace, shall receive any greater fee or reward for any service mentioned in this act than is hereby allowed, he shall forfeit one hundred dollars for every such offence, but such justice shall not be liable to prosecution after twelve months from the time of the offence committed.

Causes, &amp;c. to be returned, &amp;c.

XXXIII. AND BE IT ENACTED, That all causes, pleas, process and proceedings, relative to any cause, civil or criminal, which shall be returnable to, or depending before, the several county courts of this state, when this act shall commence, shall be returned to the several county courts constituted by this act, at the times herein before appointed for the holding of each court, and shall be heard, tried and determined therein, in the same manner as if no change had been made in the said courts; and all writs issuing out of any of the said county courts shall be tested in the name of the chief justice, and in case of his death, resignation or disqualification, before a new appointment, in the name of the associate justice first named in the commission, and all writs shall be returnable on the days appointed by this act.

Commitments, &amp;c. to be returned, &amp;c.

XXXIV. AND BE IT ENACTED, That all commitments and recognizances for all felonies, crimes, offences or misdemeanors, committed in the several counties, and triable by law in the county courts, shall be returned to the justices appointed in virtue of this act, by the justice making such commitment or taking such recognizance, on the first day of holding the county court of their county; and all sheriffs, clerks, and all other civil officers, shall execute and perform the same offices and duties, under the same penalties as they are now obliged by law to perform and execute them in the county courts as now established.

XXXV. AND, whereas the great convenience of trials of facts in the several counties of this state would be considerably increased by farther abridging the original jurisdiction of the general court,