

1. **N**O sheriff, jailor, clerk, or other officer, shall charge either the county or the public, with any fees for criminals committed to their charge, being capable to pay the same by their effects or servitude: But such criminals, being discharged by due course of law, shall pay their own fees.---1715, c. 26, § 7.

2. But fees due from malefactors that are executed, or banished persons, who have no estates in the province, shall be paid by the county.---*ibid.* § 8.

3. All fees due on the prosecution of any imported servants, at the suit of the lord proprietor, shall be paid by the owners of such servants, and not by the public or county.---1727, c. 2, § 2.

4. And the owners, (unless in case of conviction and execution for capital offences) shall have recompence for such fees by such servitude of the servants, not exceeding three years, as shall be thought reasonable by the county court; unless the servant can make payment otherwise---*ibid.* § 3.

5. All legal fees which have arisen, and not otherwise paid, or which shall hereafter arise on the prosecution of any negro, or other slave, in any county court, whether convicted or acquitted, shall be chargeable to, and paid by the county where such prosecution shall be had, and assessed in the county levy of such county.---May, 1766, c. 6.

6. No person who may be prosecuted for any misdemeanor or offence, and discharged by the court on submission, or fined not exceeding one shilling current money, or prosecuted for any crime and acquitted on trial by a jury, shall be burthened with the payment of any costs or fees accruing thereon; but the same, with the legal costs of the party accused, shall, in cases tried in the county courts, be charged to the county where such trial is had, and taxed and collected as part of the county charge.---*Nov.* 1781, c. 11, § 2.

7. And such costs and fees on trial in the general court, shall be charged to the state, and paid as other public charges; and no person taken upon any warrant, or *capias* on presentment, where no bill of indictment is found, shall be liable to pay or give security for any costs on account of such warrant, &c. but the same shall be charged to and paid by the county, or the public, as aforesaid.---*ibid.*

8. Nothing in this act contained shall be construed to authorise any court to try or determine upon any matter of fact which may be in controversy or dispute, or to exclude the trial or determination of such matter of fact, if controverted by jury.---*Nov.* 1787, c. 34, § 2.