
A C T S

(in part)

OF THE

GOVERNOR AND COUNCIL OF LIBERIA,

IN LEGISLATURE ASSEMBLED.

PASSED AT THEIR SESSION IN JANUARY. A.D. 1841.



(Printed by Authority.)

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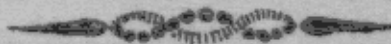
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GOVERNOR AND COUNCIL OF LIBERIA, IN LEGISLATURE ASSEMBLED.

PASSED AT THEIR SESSION IN JANUARY, ANNO DOMINI 1841.

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An Act, to amend An Act regulating the fees of officers of the Commonwealth of Liberia.

Section 1. *Be it Enacted by the Governor and Council in Legislature Assembled, and it is hereby Enacted by the authority of the same,—That the fees of the Sheriff for each criminal in jail per day shall be*

| | |
|--|-------|
| | \$ 25 |
|--|-------|

Sec. 2. *Be it further Enacted,—That the fees of magistrates shall be as follows,*

| | |
|-------------------------------------------------|------|
| For issuing a warrant | " 25 |
| For rendering judgment | " 25 |
| For issuing subpoenas, | " 25 |
| And for each additional name mentioned therein, | " 05 |
| For swearing witnesses | " 05 |
| For issuing execution, | " 25 |

Sec. 3. *Be it further Enacted,—That the fees of jurors shall be as follows,*

| | |
|---------------------------------------|----------|
| For petit jurors each for every case, | " 12 1-2 |
| For grand jurors per day | " 50 |

Sec. 4. *Be it further Enacted,—That the commonwealth's attorney shall have no other pay than the fees chargeable upon each case.*

Sec. 5. *Be it further Enacted,—That the Constables shall have the following fees,*

| | |
|--------------------------|------|
| For summoning a witness, | " 10 |
|--------------------------|------|

And when there is more than one name in the summons,
 every additional name, - - - - - " 05
 For attending court, per day - - - - - " 50

Sec. 6. *Be it further Enacted*,—That the Judges and Clerks
 election shall have per day - - - - - \$ 1 00

Sec. 7. *Be it further Enacted*,—That all committees while
 in actual employment for the commonwealth—whether as ap-
 praisers, assessors or in any other capacity, shall receive per
 day - - - - - " 1 00

Sec. 8. *Be it further Enacted*,—That the fees of the coro-
 ner's jurors shall be, - - - - - " 25

Sec. 9. *Be it further Enacted*,—That the fees of the sur-
 veyor shall be per day - - - - - " 1 50

— — — — —
An Act supplementary to the Judiciary Act.

Section 1. *Be it Enacted by the Governor and Council in Legislature
 Assembled, and it is hereby Enacted by the authority of the same*,—That
 the time of opening the Superior Court for the County of Grand Bassa,
 shall be; on the first Monday in May and the first Monday in November
 annually.

Sec. 2. *Be it further Enacted*,—That the law appointing associate jus-
 tices to preside with the Judges on the bench of the Superior Court be,
 and the same is hereby repealed.

Sec. 3. *Be it further Enacted*,—That whenever there shall happen to
 be a vacancy upon the bench of the County Court by the absence of the
 Chairman, it shall be the duty of the magistrate present whose commis-
 sion bears oldest date, to fill that vacancy by occupying the Chair: he tak-
 ing care to distinguish between his acts and those of the regular incum-
 bent, by adding to the signature of his name the words *pro tem*, notwith-
 standing the official acts of either shall be equally valid, so far as they
 have jurisdiction in the courts or otherwise.

Sec. 4. *Be it further Enacted*,—That when the Judge of the Superior
 Court is interested in any case that may be brought into his court, then,
 and in that case, the Judge of the sister county shall preside, and shall be
 entitled to the fee allowed for that term.

Sec. 5. *Be it further Enacted*,—That the first section of an Act enti-
 tled an Act to regulate the judiciary of the Commonwealth of Liberia pass-
 ed January 1840 be, and the same is hereby repealed, and that the Courts
 of Quarter Sessions be hereby authorised and empowered to empanel ju-
 rors to try all such cases as are particularly noticed in that Act.

Sec. 6. *Be it further Enacted*,—That in all cases of civil actions brought in either the courts of this commonwealth, or before any magistrates or justices, the party cast shall pay the cost; and in all cases of a criminal nature wherein the commonwealth is a party, it shall be left discretionary with the court upon whom to charge the costs.

Sec. 7. *Be it further Enacted*,—That hence forth there shall be allowed, when required by the defendant, sufficient surety having been first given by him, a stay on all judgments granted out of the court by a justice or justices of the peace, under the following regulations, viz:—on all sums of twenty dollars there shall be allowed a stay of five months,—on all sums under twenty and over fifteen, a stay of four months,—on all under fifteen and over ten, three months; all under ten and over five, two months; all under five and over two, one month; and on all sums under two dollars, ten days. The computation of the time allowed for the stay to commence on the day the judgment was rendered.

Sec. 8. *Be it further Enacted*,—That at the expiration of the stay of execution as aforesaid, unless the payment is made, execution shall issue thereupon immediately, in virtue whereof the officer may seize upon any chattels, the property of the principal first, and in case of deficiency next on that of the security, of sufficient amount to pay the debt, interest and cost, & after public notice by advertisement for ten days at the usual place of publication, shall proceed to sell the same to the highest bidder for ready money, and should he by the sale make a sum exceeding the amount for which he claims on the execution or executions in his hands, he shall forthwith pay the surplus into the hands of the defendant.

Sec. 9. *Be it further Enacted*,—That at the Courts of Quarter Sessions of this commonwealth, the sheriff, constables and all other county officers shall make full and complete returns of all issues made to them, as well of monies collected by them and also a statement of defaults and insolvencies or other matters connected with the duties of their several offices so that it may be known to those interested, what has been the progress made in the accomplishment of the business committed to them.

Sec. 10. *Be it further Enacted*,—That in all cases of judgment taken before one or more magistrates, no appeal shall be allowed except in cases where the sum contested exceeds five dollars.

Sec. 11.—WHEREAS, the custom of sentencing culprits to labor on the public works as a punishment for their crimes, has been generally attended by a defeat of the objects intended, owing to the impossibility of detaining them in custody, and thereby causing an accumulation of expense to the government and subjecting those having the charge of them to heavy fines & forfeitures, by their escaping from confinement: for remedy whereof

Be it further Enacted,—That from and after this date, all persons convicted of any crime which has been hitherto punished by imprisonment

