

In force Feb. 11, 1835. **AN ACT** to provide for issuing writs of *Ne Exeat* and *Habeas Corpus*, and for other purposes.

Duty of circuit judges to appoint masters in chancery.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That it shall be the duty of each Circuit Judge, within his Judicial Circuit, in each county, to appoint a competent and qualified person to be a master in Chancery in such county, who shall take an oath to support the Constitution of this State and of the United States, and also an oath that he will faithfully perform the duties of his office, which oath may be taken and subscribed before any Justice of the Peace of the county.

Their powers.

SEC. 2. That the said masters in Chancery, within their respective counties, shall have power to order the issuing of writs of *Habeas Corpus*, *Ne Exeat* and *Injunction*, in the absence of the Judge presiding in such county, and they shall perform such other services in aid of the Courts of Chancery as are usual by the practice of the Courts of Chancery to be performed by them. They shall, also, when a writ of *Ne Exeat* or *Injunction* is about to be ordered to be issued by them, approve of the security.

Fees.

SEC. 3. The said masters in Chancery shall be entitled to the sum of one dollar for each application for a writ of *Injunction* or *Ne Exeat*, to be paid by the party applying in the first instance, and then taxed as other costs against the unsuccessful party.

SEC. 4. For the services of the said masters in Chancery, concerning references and reports made by them, they shall be entitled to such reasonable compensation as shall be allowed by the Circuit Court of the county, to be taxed as other costs.

APPROVED, Feb. 11, 1835.

In force Feb. 13, 1835.

AN ACT to extend the *Jurisdiction of Justices of the Peace* in certain cases therein named.

Officers refusing to pay over moneys, how proceeded against.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That if any Sheriff, Coroner or other officer, shall fail, on demand made by the complainant, his executors, administrators or lawful attorney, to pay over any money collected by virtue of any execution, process or fee bill, not exceeding one hundred dollars, it shall be lawful for the party so aggrieved, or by his lawful attorney, to commence an action against such Sheriff, Coroner or other officer, and his securities, by sum-

mons before any Justice of the Peace, and if upon hearing the case, it shall appear to such Justice of the Peace, that money has been collected upon such execution, process or fee bill, and not paid over to the party entitled to the same, on demand made as aforesaid; and if it shall appear further, that the defendant or defendants sued with the Sheriff or other officer, are his securities, by the production of the original bond or a certified copy thereof, of the Sheriff, Coroner or other officer, under the hand and seal of the Clerk of the county commissioners' court, the said Justice shall proceed to render judgment against said defendants for the amount so received by said Sheriff or other officer, belonging to the plaintiff, with ten per cent. interest thereon.

SEC. 2. And upon rendition of such judgment, execution, when application is made by the plaintiff, or his or her agent or attorney, shall issue forthwith against such Sheriff or other officer and his securities, as in other cases, subject, however, to be appealed by either party, under the same rules and regulations as is provided for in other cases of judgments of Justices of the Peace. All acts and parts of acts coming within the meaning and purview of this act, are hereby repealed. Execution to issue forthwith.
Acts repealed.

APPROVED, Feb. 13, 1835.

AN ACT to authorize a Special Term of the Circuit Court in the County of Fayette. In force Jan. 24, 1835.

SEC. 1. *Be it enacted by the people of the State of Illinois,* Judge required to hold a special term on 28th January. *That the Judge of the Fayette Circuit Court be, and he is hereby authorized and required to hold a Special Term of the said Court, in the county of Fayette, on Wednesday, the 28th day of January, 1835, for the trial of John Robb, now in jail in said county, charged with the crime of murder or manslaughter: Provided, That if the said John Robb shall be indicted for murder, the said Court shall have power, if he shall desire the same, to try the said John Robb upon such indictment for murder, and if upon such trial for murder, the said John Robb shall be found guilty of manslaughter or other less offence, the Court shall have power to pronounce judgment upon the verdict of the Jury, as though the said John Robb had been tried at a regular term of the Court upon an indictment for the offence of which the said John Robb may be found guilty.*