

weight of all other green Teas, four pence; fifthly, for every gallon English measure, of all spirits or other strong liquors, three pence; sixthly, for every gallon like measure, of all Wine, three pence; seventhly, for every gallon like measure of all Molasses and syrups, two pence, and after those rates for any greater or less quantity of such goods respectively.

Mode of collecting the said duties.

II. *And be it further enacted by the Authority aforesaid,* That the several rates and duties herein before recited, shall be raised, levied, collected and paid in the same manner and form, and under the same rules and regulations, penalties and forfeitures as are by law now established in this Province, for the levying and collecting of other rates and duties.

Continuance of this Act.

III. *And be it further enacted by the Authority aforesaid,* That this Act shall continue to be in force to the first day of March, in the year of our lord one thousand eight hundred and nine, and no longer.

C H A P. XI.

*An Act to Establish the Fees of the Clerks of the Peace, and to regulate the Fees in the several Courts of Quarter Sessions throughout this Province.*

Passed 10th March, 1807

Preamble.

WHEREAS it is proper to establish the fees of the different Clerks of the Peace in this Province, and that provision be made for the payment of costs arising in the Court of General Quarter Sessions :

Fees allowed to the clerks of the peace.

Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "an Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, entitled, "an Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province, and by the authority of the same, That from and after the passing of this Act the following fees shall be allowed to the different clerks of the peace in this Province; for drawing the receipt and attending commissioners to sign the same, and transmitting it to the sheriff, one pound; attending each quarter session, one pound and ten shillings; making up the records of each session, two pounds and ten shillings; notice of every appointment, one shilling; list of jurors, every one hundred names, two shillings and six pence; making up estreats of each session and transmitting the same to the inspector general, five shillings; to be paid out of the district treasury:—every recognizance for the peace or good behaviour, to be paid by the party bound, five shillings; for discharging the same, two shillings and six pence; subpoena, two shillings and six pence; bench warrant, five shillings; drawing indictment, ten shillings; allowance of certiorari, to be paid by the person applying for the same, five shillings.

II. And be it further enacted by the Authority aforesaid, That when any person or persons shall be convicted before any Court of Quarter Sessions in this Province, of any assault or misdemeanor, such person or persons so convicted, shall pay the costs of such conviction and prosecution, that shall be allowed and taxed by the said Court; and when such defendant or defendants shall be acquitted; the prosecutor, unless it shall appear to the said court that there were reasonable grounds for prosecuting, to be certified by the chairman, by indorsement on the back of the indictment, in open court, shall pay such costs of prosecution, as shall be allowed and taxed as aforesaid; *Provided nevertheless*, that when any defendant or defendants shall be tried on a presentment of the grand jury, and shall be acquitted, the costs shall be paid out of the district treasury; ; *Provided nevertheless*, that nothing in this Act shall be construed to extend to deprive the clerks of the peace of such fees as are allowed by any Act of Parliament for other services.

Costs to be paid at the quarter sessions by persons convicted.

In what cases prosecutors shall pay cost.

When costs shall be paid by the district.

C H A P. XII.

*An Act for the preservation of Salmon.*

[Passed 10th March, 1807.]

WHEREAS it is found necessary to make provision for the preservation of Salmon, in the Rivers and Creeks of this Province; Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "an Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, entitled, "an Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same, That from and after the passing of this Act, no person or persons in the Home or Newcastle Districts, shall be allowed by setting any net or nets, wear, or other engines, to take any salmon or salmon fry, in any river or creek, or at the mouth or near the mouth of any river or creek in the said Districts.

Preamble.

II. And be it further enacted by the authority aforesaid, That if any person or persons in either of the districts aforesaid, shall take or catch or attempt to take or catch by setting any net or nets, wears or other engines, any salmon or salmon fry, in any of the creeks or rivers, or at the mouth or near the mouth of any creek or river in the aforesaid Districts, such person or persons shall forfeit and pay the sum of five pounds for the first offence, and double that sum for every subsequent offence, or in default of payment, shall be committed to the common gaol of the District in which the offence is committed, for the space of one month. *Provided* always, that nothing in this Act shall be construed to prevent persons at any time from taking salmon with a spear or hook and line.

Penalties for taking &c. by nets, wears, or other engines, in the Home or Newcastle districts, salmon or salmon fry.

Salmon may be taken with spear or hook and line.