

The Statutes of His Majesty's Province of Upper Canada in North America. Passed in the third session of the fourth provincial parliament of Upper Canada, met at York, on the second day of February, in the forty-seventh Year of the reign of our sovereign Lord George the Third (1807). York: John Cameron, 1809.

47 George III— Chapter 11

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.

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:

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 protection, as shall be allowed and taxed aforesaid; Provided nevertheless, that when any defendant or defendants shall be tried [illegible] 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.