

An Act for the Establishment of Fees, as regulated by  
the Governor and Council, at the Request of the  
*House of Assembly.*

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*Be it enacted, by the Commander in Chief,  
the Council and Assembly, That the establishment  
of the Fees belonging to the several Offices in this  
Province, be as followeth,*

*Justices of Peace out of Court,*

<i>For every Writ or Summons, each Justice,</i>	<i>{ two shillings and six Pence.</i>
<i>Entering an action,</i>	<i>one shilling.</i>
<i>Execution</i>	<i>{ one shilling and four Pence.</i>
<i>Sending up Papers to the Inferior Court,</i>	<i>one shilling.</i>
<i>Subpœna for each Witness,</i>	<i>six pence.</i>
<i>Every Recognizance, each Person</i>	<i>one shilling.</i>
<i>Taking of Affidavits, each Person</i>	<i>one shilling.</i>
<i>Acknowledging an Instrument or Deed,</i>	<i>one shilling.</i>
<i>A Warrant in Trespass and Assault and Battery,</i>	<i>one shilling.</i>
<i>Every Examination in assault and Battery,</i>	<i>{ two shillings &amp; six pence.</i>

*Clerk of the Peace.*

<i>Drawing an Indictment if found</i>	<i>{ two shillings and six pence.</i>
<i>Every Tryal and Judgment</i>	<i>five shillings.</i>
<i>Every Submission.</i>	<i>two shillings and six pence.</i>
<i>Concordatum Fee</i>	<i>one shilling and six pence.</i>
<i>Every Petition and Proceedings thereon,</i>	<i>two shillings and six pence.</i>
<i>Every Cause continued by Traverse or otherwise</i>	<i>{ one shilling.</i>

*every*

Every Presentment proceeded on, to } three shillings and four  
be paid by the Delinquent, } pence.

Certificate of administering the State Oaths, one shilling.

Warrant from the Court, one shilling,

Every Recognizance each Person one shilling,

Discharging a Recognizance, one shilling,

### Inferior Court of Common Pleas,

#### Judges Fees.

Entry of every Action if for £ 10 or upwards, ten shillings,

If above £ 3, and under £ 10, four shillings,

Taxing Bill of Costs, two shillings,

Taking a Recognizance, one shilling,

Every Tryal three shillings and four pence.

Every Judgment, three shillings and four pence.

Every Writ issued, two shillings and six pence.

#### Clerks Fees in Causes for Ten Pounds or upwards.

Every Writ Signed and Sealed, one shilling,

Affidavit for Bail if drawn by him, one shilling

Entry of every Cause, Declaration, } three shillings,  
Plea, &c. }

Entering up Judgment and where a } three shillings & four pence.  
Jury assesses Damages, }

Ditto in defaults, two shillings,

Every Execution, one shilling and four pence.

Subpœna for each Person, six pence.

Advertising day of making up } three pence,  
Judgment each Cause, }

Continuing a Cause to another Court, one shilling,

Copies of all papers, every Hundred } one shilling,  
Words, }

Taking special Bail at Bar each person, one shilling,

Receiving Returns of Execution, and filing, six pence.

Searching the Records, one shilling.

Certifying a Judgment under the Seal } two shillings and six pence.  
of the Court, if short }

If above 200 Words the same as for }  
copying, with one Shilling for the }  
Seal.

For every Commitment from the Court for Contempt, or otherwise	} one shilling.
For every Warrant to levy fines, to be levied with the fine,	} one shilling,
Minuting a motion,	one shilling,
Drawing and taking Recognizance each Person,	one shilling,
For all Monies tendered in Court per Pound,	six pence
Entering a Bond of Arbitration and Award and Entry of Judgment thereupon, and for Examining Costs,	} two shillings and six Pence.
Every Writ of Habere facias Possessionem,	two shillings,
For Taxing Costs, each Cause,	one shilling,
His Fees in Summary Causes not tried by a Jury, for all Fees,	} four shillings,

### Clerks Fees in the Supreme Court.

For every Writ of Error and Entry thereof,	} six shillings and eight pence.
Judgment thereon and Recrding,	} thirteen shillings & four pence.
A Writ of Execution,	} two shillings and six pence.
Every Subpœna,	one shilling,

To have the same Fees as the Clerk of the Peace in Criminal Causes; and also in all Causes upwards of Ten Pounds on Original Process in the Supreme Court, to have the same Fees as the Clerk of the Inferior Court.

### Attornies Fees.

In all Causes for Ten Pounds, or upwards Filing every Writ of Attachment, or Sum- mons, and Copy,	} five shillings,
Drawing Affidavit and filing,	} one shilling and six pence.
Drawing Declaration, and filing,	} two shilling and six pence.
Special Declarations that are of Necessity long from the nature of the Case, to be Taxed by the discretion of the Court,	attending.

Attending the Court on tryal and arguing the Cause,	five shillings,
On a Default;	two shillings and six pence.
Special Pleas in Abatement, Bar, Demurer,	} two shillings,
Replication, Rejoinder, each,	
Entering an Appearance,	one shilling,
Plea to the Issue,	one shilling,
Warrant of Attorney,	one shilling,
In summary Causes not tried by a Jury, for all Fees,	eight shillings
In Real Actions in Ejectment or Scire facias,	
Filling the Writ or Summons, Declaration and	} six shilling &
Copy,	
Notice to the Tenant in Possession,	eight pence.
Preparing the Rule &c.	one shilling,
Entering a Cause on Bonds of Arbitration and	} three shillings and four pence.
Awards,	
Notice to the Defendant or Defendants each,	two shillings
	& six pence.
	one shillings.
In the Supream Court,	
Pleading a Cause of Tried,	ten shillings;
if not	five shillings,
Every Writ of Error,	three shillings and four pence.
Arguing a point of Law on a Motion,	three shillings and four pence.

### Provost-Marshal's Fees.

Service of a Writ or Summons,	two shillings and six pence.
Of an Execution and Return thereon,	five shillings,
For Levying, receiving and paying, all Monies	
on Execution to £ 40,	one shilling in the pound.
From £ 40 to £ 100,	six pence in the pound.
And all above,	four pence in the pound.
For every Tryal	two shillings and six pence.
For every Default, Nonsuit or withdrawn	} one shilling &
Cause,	
	fix pence.
For every Deed,	five shillings,
Drawing and Executing a Bail Bond,	two shillings and six pence.
Travel,	three pence per mile,
To be computed from the Place of Service to the Court where	} the Writ or Execution shall be returned, no greater tra-
the Writ or Execution shall be returned, no greater tra-	
vel to be allowed than he can actually make appear,	
For Inventory of all Goods attached, to be	}
Tax'd by the Court,	

For every Member return'd for the *House of Assembly*, in lieu of all Expences, to be paid by the Treasurer of the Province, } twenty *shillings*,

### Cryers Fees,

Calling a Jury, one *shilling*,  
A Verdict, one *shilling*,  
A Default or Nonsuit, eight *pence*.

### Constables Fees,

Attending the Jury each Cause one *shilling*,  
Serving a Warrant (except in Criminal Cases,) one *shilling*.  
Summoning a Jury on an Inquest by Warrant from the Coroner and Attendance per } two *Shillings*.  
Day,  
Travel three Pence per Mile as to the Provost-Marshal.

### Petit Jurors Fees in Civil Causes.

Foreman each Cause, one *shilling*,  
Each other Juror, ten *pence*,

### Plaintiffs Fees,

For his Attendance at Court, for so many Days as he necessarily attended to be judged of by the Court per Day, } two *shillings*,

### Witnesses.

Attendance, one *shilling* and six *pence*.  
If more than one Day to be paid at the Discretion of the Court.  
Travelling Charges, three *pence* per mile,  
To be computed from the Place of his Residence, to the Court or Place of Tryal,

### Coroner's Fees,

For serving a Writ, Summons, or Execution and travelling Charges, the same as by this Table is allowed to the Provost Marshall.

Taking an Inquest to be paid out of the Deceased's Estate. } Twenty five *Shillings*.

And if no Estate to be paid by the Treasurer of the Province, The

The Foreman of the Jury	two <i>shillings</i> and six <i>pence</i> .
Every other Juror,	two <i>shillings</i> .

To be paid them by the Coroner when received, and in the same Manner as the Coroner.

And if any Person on whose Body a Coroner's Inquest shall sit, have not any Goods or Effects to discharge the Expences of burying, that then the Coroner shall bury them, and charge *Ten Shillings* for the same to be paid by the Treasurer of the Province.

*And be it further enacted,* That what Officer or Person soever shall ask, demand, and take any greater or other Fees than are before-mentioned for the Matters aforesaid, or any of them, shall be prosecuted as in Cases of Extortion, and being thereof duly convicted in any Court of Record within this Province, shall forfeit and pay the Sum of *Ten Pounds* current Money of this Province, one *Moiety* whereof to be unto our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Province, and the other *Moiety* unto the Informer or him that shall sue for the same in any Court of Record; and shall further pay unto the Party grieved, double the Value of the excessive Fees so taken.

*And it is also further enacted,* That this Act shall continue and remain in full Force for and during the Term of *Two-Years*, from and after the Publication thereof, and until the End of the Session of the *General-Assembly* then next following.

*Publish'd according to Law, the 5th July 1766.*

