

John Deopart May Agent  
 President of Council

An Ordinance for the regulation  
 and establishment of Fees of Office -

Whereas the fees heretofore taken by the  
 different Offices herein after mentioned in this  
 Island for services by them performed in their respective  
 Offices are not sufficiently ascertained in order therefore  
 to regulate and establish them in future, and to  
 prevent undue exactions and exorbitant demands  
 touching the same -

Be it Ordained and Ordered by  
 His Honor the President by and with the Advice of  
 His Majesty's Council and by the Authority of  
 the same, it is hereby Ordained and Ordered that  
 from and after the publication hereof no  
 Officer or other person or persons whatsoever for any  
 service or services to be done or performed in their  
 respective Offices herein after mentioned shall  
 exact or demand any greater or other Fee or Fees  
 sum or sums of Money than is or are herein after set  
 down, all owed and established for the same - That is to say

Supreme Court in Civil Actions -

Entry of every cause - for the whole Court - . . . . .	5/-
Taking Affidavit & endorsing writ for Bail to the Senior or other Justice who shall do the same - }	2/6
Every Cause tried & final Judgment the whole Court present - . . . . . }	10/-
Hearing Demurren argued & Judgment thereon - -	5/-
Taxing Bill of Costs - - - - - 2/6	} To Senior or other Justice { who shall do the same
Taking special Bail - - - - - 2/6	
Signing Judgment Roll or other record 2/6	

Judge of Probates Fees

Taking probate of will - Granting Administration or Letters of Guardianship each - . . . . . }	20/-
Letters Ad Collegendum - . . . . .	10/-
Warrant of Appraisement - . . . . .	9/-
Decree of Distribution - . . . . .	20/-

Register of Probates Fees

Probate & registering a will, writing & registering Administration and Guardianship - each - }	20/-
Drawing Bond & attending Execution thereof	10/-
Drawing & registering Letters Ad. Collegendum	10/-
Citation and Service - . . . . .	6/8-

Filing Inventory Accounts &c: . . . . .	1/5
All searches . . . . .	3/4
Copy of Will & Probate per folio of 72 words . . . . .	1/5
Certificate and Seal . . . . .	6/8
Writing & Registering Decree for distribution . . . . .	10/5
Warrant of Appraisement signed & sealed . . . . .	6/5
Every Exhibit . . . . .	1/6

### Justice of Peace's Fees

Issuing Warrant, writ or Summons under Hand & Seal . . . . .	2/6
Subpoena . . . . .	2/6
Judgment . . . . .	2/6
Execution . . . . .	2/6
Bond or Recognizance at length . . . . .	3/5
Affidavit or Examination in writing . . . . .	2/6
Sending proceedings in Civil Causes to superior Court on appeal to be paid by the Party } . . . . .	1/5
Appealing per Fol. . . . .	

### Mortgage Fees

Retaining Fee in every Cause . . . . .	10/5
Drawing Common Affidavit . . . . .	2/6

Drawing Affidavit for holding to bail in special cases	5/-
Attending Judge to indorse writ	5/-
Attending Instructions from Court each time	3/4
Warrant to prosecute	3/4
Every writ, Bail, or other Original Common process each	5/-
Capias	2/0
Notice on Common Bail process	2/0
Copy	1/3
Non Omittas Capias, Latital Capias, Testatum Capias, Scire Facias, Habeas Corpus, Venire Facias, Writ of Inquiry, Writ of Error, or other Meine process by special writ	7/0
Copy, each	3/9
Every Declaration, Plea, Replication, Rejoinder, Answer, Rebuttal, Surabutter - J. Fol.	1/0
Every Copy for service and filing	1/9
Common Demurrers or Joinder in Demurer	5/-
Copies of do, for service and filing	2/0
Notice of Trial, or Notice of Executing Writ of Inquiry each	2/0
Countermand of Notices	2/0
Each Copy of Countermand for service & filing	1/3
Subpoena for witnesses	5/-
Copy for witnesses	2/0

Travel for service of Notice of Trial, or Notice of  
Executing Writ of inquiry or for service of subpoena  
or other proceedings when personal service is required  
by Law, or by order of Court payable for going  
only per Mile - - - - -

1/-

Summary Bill of Exceptions in open Court for  
misdirection of the Judge - - - - -

2/6

Motion for Common Rule for Amercing the  
Sheriff for Judgement by default for new  
Trial, for Arrest of Judgement or other  
common Motions - - - - -

5/-

Regular Bill of Exceptions Per Fol.<sup>o</sup> - - - - -

1/6

Assignment of causes for new trial or for  
Arrest of Judgement Per Fol.<sup>o</sup> - - - - -

1/6

Copies of a D.<sup>o</sup> for service or Filing per Fol.<sup>o</sup> - - - - -

9<sup>d</sup>

Drawing special Bail piece - - - - -

2/6

Notice of exception to Bail and service thereof - - - - -

2/6

Every continuance or Imparlance - - - - -

2/6

Every Retascit Rolle prosequere Nonpros - - - - -

5/6

Drawing Affidavit for special Imparlance  
and signing causes therefore - - - - -

7/6

Attending Balloting or striking a special Jury - - - - -

15/-

Attending Inquisition before Sheriff - - - - -

23/4

Drawing common rule in ejectment or other common	}	5/-
Rules each - - - - -		
Every Copy for service or Filing - - - - -		2/6
Drawing Rules of Court for Arbitration or	}	5/-
other special Rules - - - - -		
Every Copy for service or filing - each - - -		5/-
Confession of Lease, Entry, & Ouster in Ejectment		13/4
Notice to Tenant in possession or to Landlord -		7/6
Copies for service or Filing - each - - - - -		3/9
Affidavit of Lease, Entry & Ouster and serving	}	10/-
Declaration where no Tenant in possession -		
Arguing Demurrer or special Verdict - - -		11/8
Fee to Council on Trial - - - - -		23/4
Making up Issue - per Fol <sup>o</sup> - - - - -		1/0
Each Copy for service & filing - per Fol <sup>o</sup> - - -		9.
Making up record - - - - -	Do	1/0
Engrossing the same - - - - -	Do	1/0
Drawing entry of satisfaction on the Record	}	5/-
by Warrant - per Fol <sup>o</sup> - - - - -		
Attending Judge with Record or Judgement Roll		5/-
Serie Facias, Pligib, Capias Ad satis faciendum	}	7/0
Venditioni, Reponas. Distringas. Writ of		
possession, Cigent or other process of Execution		
Term Fee - - - - -		5/-

Making up Costs - . . . . .	27	7
Notice of Taxing Costs - . . . . .	6	-
Attending to get the same taxed - . . . . .	2	6
	5	-
Copy to file and every Copy required by the parties other Copying necessary to be done in Conducting abause - per Fol. - . . . . .		1
		6

Clerks Fees Supreme Court Plea side

Entering action & filing Affidavit of Debt - . . . . .	2	6
Signing & Sealing every Writ, Execution or other Process - . . . . .	2	6
Filing every Writ and entering return - . . . . .	1	6
Filing Declaration and all other pleadings - . . . . .	1	-
Entering Appearance - . . . . .	1	6
Entering & filing every Motion or Rule - . . . . .	1	6
Copy of every Rule given by the Clerk - . . . . .	2	6
Swearing and Impannelling Jury - . . . . .	1	6
Swearing each Witness or Constable - . . . . .	1	-
Taking and entering Verdict - . . . . .	1	6
Entering Judgement - . . . . .	2	6
Entering default, Retaxit, Nolle prosequere } Non pros, Nonsuit or other discontinuance }	1	6
Entering Confession - Lease - Entry - & Ouster - . . . . .	1	6

Copies of all Records or Pleadings per Fol <sup>o</sup>	9 <sup>o</sup>
Filing every Exhibit in a Cause depending	6 <sup>o</sup>
Attending striking special Jury & Copy of Panel to be given to each party	5/-
Filing Affidavit in Court in Writing	1/-
Searching the Records	1/-
Taking & filing special Bail piece	1/6
Taking and Entering every Recognizance	1/6
Sealing & Signing Subpoena	2/6
Filing the Roll in every action	1/-
Filing Bill of Costs	1/-

### Sheriff or Provost Marshals Fees

Serving every Original Process	2/6
Caption Fee on Bailble Process	11/8
Travel per Mile to be computed from the place where the Process is returnable to the place where Defendant is taken or sued payable for going only	1/-
Bail Bond for each Person bound	3/4
Service on the Amount of Sales of property taken on <i>Terre Facias</i> or <i>Eligibility</i> under £50 - 1/- pound from £50 to £100 - 9 <sup>o</sup> 1/2 pound above £100 - 8 <sup>o</sup> 1/2 pound	



For appraising property and swearing Appraisers - 5/-  
 Poundage on Capias Ad satis faciendum for the  
 whole Ammount of Execution if under £50. 1/-  
 from £50. to £100 9<sup>d</sup> - above £100. 6<sup>d</sup> -

Travel on all Writs of Executions the same } 1/-  
 as on Original Writs - per Mile - }

Service of Writ of Possession - - - - 11/6

Serving Venire Facias and travel the same }  
 as on Original Writs not Bailable - }

Returning Panel for special Jury - - - - 10/-

Bringing up prisoners by Habeas Corpus - - - 11/8

Travel the same as in other Cases - - -

Attending prisoner before a Judge on special } 5/-  
 Occasions - - - - - }

Making Return on every Writ - - - - 2/6

Executing Writ of Enquirey, Summoning } 23/4  
 Jury & returning Inquisition - - - }

### JURORS FEES

For every Cause tried by Common Jury } 1/-  
 each Juror - - - - - }

Ditto by special Jury. each Juror . . . . . 2/6  
 Fees for taking a view to be taxed at the  
 discretion of the Court . . . . . }  
 . . . . . }

### Witnesses Fees

For every Days Attendance at Court . . . . . 5/-  
 Travel per Mile to be computed from place of  
 residence to the Court House for coming only 1/-  
 The Attendance and expence of Travel & conveyance  
 of Aged or infirm Witnesses to be taxed at the  
 discretion of the Court . . . . . }

### Clerks Fees

For every default or nonsuit . . . . . 8<sup>d</sup>  
 Calling and swearing Jury in every cause . . . 1/6  
 Calling Jury for Verdict . . . . . 1/-  
 Swearing every Witness or Constable . . . . . 6<sup>d</sup>  
 Every person discharged by proclamation . . . 6<sup>d</sup>

### Coroners Fees

For all services in Civil Actions to be paid  
 the same as the Sheriff  
 For taking Inquest of Office in lieu of all other Fees so  
 to be paid out of the estate of the Deceased if sufficient  
 otherwise to be paid from such public fund as the Governor  
 or president for the time being shall think proper

The Funeral Expences (not exceeding 20/-) to be paid  
as above -

The Jury Fees and Travel to be the same as in other  
Cases -

It is further Ordained & Ordered  
by the Authority aforesaid that in all cases wherein  
Judgment shall hereafter be given for the Plaintiff  
or Plaintiffs, all fees which shall be paid, due owing or  
payable by such Plaintiff or Plaintiffs by virtue of this  
Ordinance shall be taxed against, and shall be paid,  
by the Defendant or Defendants in such cause or  
causes - And that in all Causes that shall be institu-  
-ted in any Court of Record, and which shall be retracted  
or discontinued without leave of the Court or Consent  
of the Defendant, or wherein Judgment shall be  
given for the Defendant or Defendants, all  
Fees, Costs, and Charges, which shall be paid, due  
Owing or payable by such Defendant or Defendants  
by virtue of this Ordinance, shall be taxed against  
and shall be paid by such Plaintiff or Plaintiffs.

And be it further Ordained by the  
Authority aforesaid that none of the Fees by this  
Ordinance allowed and established for Attornies shall  
be taxed or allowed to any but sworn Attornies.  
Regularly

regularly admitted into the Court wherein any cause shall be instituted or tried and in no causes wherein an Attorney is not really employed and for no other services than such as he shall actually do and perform in such Cause —

And be it also Ordained and Ordered that no Fee, Costs, or Charges allowed and established by this Ordinance, shall be charged to Defendant or Defendants. Plaintiff or Plaintiffs in any action or Cause instituted or tried in any Court as aforesaid, unless a Bill of the particulars of such fees Costs, and Charges is first examined and taxed by the Senior Justice, or in his absence by some other Justice of the Court, in which such action or Cause shall be instituted or tried, and a Copy thereof delivered to the adverse party if required —

Approved, Ordained & Ordered accordingly in Council the 20<sup>th</sup> Day of March 1802 and in the 42<sup>nd</sup> Year of His Majesty's Reign

Passed in Council 7<sup>th</sup> 20<sup>th</sup> March 1802

Signed { A. C. Dodd  
Rich<sup>d</sup> Stout  
Wm Cox (Signed)  
Wm Campbell

John Despard Maj<sup>r</sup> Gen<sup>l</sup>  
& President of Council

True Copy  
Wm Stant Secy. of Council