

*Laws of Her Majesty's Province of Newfoundland, passed in the year 1858.*

21 Victoria – Chapter 12

**An Act to Establish the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony. (Passed 10th May, 1858.)**

Whereas it is expedient and necessary to Establish the Fees to be taken in the several Police Offices and Courts of Session in this Colony:--

Be it therefore Enacted by the Governor, Legislative Council and Assembly, in Legislative Session-convened, that from and after the passing of this Act, the following Fees and Costs shall be chargeable and taken in the several Police Offices, and in the several Courts of Session in this Colony

No. 1.

*Fees payable to the Clerk of the Peace in Civil or Summary Criminal Case.*

Summons or Subpoena	£	0	1	0
Hearing of every cause		0	1	0
Entering proceedings to Judgment		0	1	0
Warrant in Execution		0	1	0
Recognizance		0	1	0
Every Oath		0	1	0

No. 2.

*Fees to Clerks of the Peace in cases of Felony or Misdemeanor, before a Justice of the Peace.*

Deposition or Examination	£	0	2	0
Summons		0	1	0
Subpoena		0	1	0
Warrant		0	1	6
Commitment		0	1	6
Recognizance of prosecuting witness or other person		0	1	6

No. 3.

*Fees Payable to Constable or Bailiff.*

For service of Summons or Subpoena	£	0	1	0
Executing every Warrant to arrest the person		0	2	6
If the service or execution of the process writ shall require the officer to travel beyond the distance of two miles, he shall be allowed for every mile travelled by him for such purpose beyond that distance, the sum of		0	0	6
For execution of any Warrant, Order, or Final Process, of or from a Justice.		0	1	0
When the Levy under Warrant, Order, or Final Process, shall exceed Twenty Shillings, then there shall be allowed to such Officer, on such levy, in addition to the above fee of one shilling, five per cent.				

No. 4.

*Witness Fees.*

For each day's attendance of a witness	£	0	3	0
All travelling, to be computed from the residence of the witness to the place of trial, and thence back again, per mile		0	0	6

No. 5.

*Fees of Gaoler or Keeper of Lock-up-House*

For every person committed to Gaol	£	0	2	6
For every person discharged therefrom, except Insolvents		0	2	6

No. 6.

BASTARDY CASES.

*Fees to be received by the Clerk.*

For the examination of the party complaining	£	0	1	0
Warrant to apprehend mother or reputed parent		0	2	0
Bond to appear, to maintain or perform order of filiation		0	5	0
Order of filiation		0	2	6
Every Commitment		0	1	6
Oath		0	1	0

II. A printed table of the foregoing Fees and Costs shall be posted up in a conspicuous place in every Police Office and Court of Session in this Colony, for public inspection.

III. Any person taking greater Fees or Costs in any Police Office or Court of Session, than the Fees or Costs hereinbefore mentioned, shall, for each offence, forfeit and pay to Her Majesty the sum of Ten Pounds.

IV. From and after the passing of this Act, all Fees paid into the Office of the Clerk of the Peace of the Central District shall be accounted for Quarterly by the said Clerk of the Peace, and be certified by the Court of Sessions, or a presiding Justice thereof; and the total amount of such Fees shall be paid into the hands of the Receiver General, to be appropriated to the public me of the Colony,—and a detailed annual statement of such Fees shall be laid before the Legislature: Provided always that nothing in this Act shall in anyway affect the right of the present Clerk of the Peace of the Quarter Sessions Court and Police Office of St. John's, to take and receive his annual Salary of £300, as provided in and by the 2nd Section of an Act passed in the Sixth Year of Her Majesty, entitled "An Act to revive and amend an Act passed in the Third Year of the Reign of Her present Majesty, entitled 'An Act to Establish the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony.'"