

PETER HUNTER ESQUIRE, LIEUTENANT GOVERNOR.

Allowance to  
Prisoners.

Act shall be committed, are, and each of them is hereby respectively required, to allow to each person during his or her commitment or confinement there, such and the like maintenance and subsistence as is by law allowed to persons in custody under any criminal charge; and the Treasurer of the District from which such offender or person so charged or convicted shall be so sent, shall, and he is hereby required, to reimburse and pay to the Treasurer of the District in which such person shall have been confined, out of the first monies which shall come to his hands, such sum and sums of money as shall have been so lawfully expended, according to the provisions in that respect herein before contained, for the maintenance and subsistence of any such person or persons as aforesaid.

Sheriffs & Peace  
Officers to ex-  
ecute warrants,  
&c.

VI. *And be it further Enacted*, That in case any such person or persons as aforesaid shall, by virtue of this Act, be committed before trial to any Gaol other than the Gaol of the District in which the offence shall be charged to have been committed, the Sheriff of the District in which such offence shall be charged to have been committed, shall, and he is hereby required and commanded, immediately before the Assize, or Session at which any trial for any offence against this Act shall be had, to convey such person so charged from the Gaol in which he or she shall be so confined, to the District where such offence was charged to be committed, and there to keep him or her in close custody and confinement, and have such person ready to take his or her trial at the Assizes or Session of Oyer and Terminer then next ensuing: And all and every Sheriff and Sheriffs, Constable and Peace Officers of this Province, is and are hereby required and commanded to execute and obey all and every warrant and warrants, order and orders, sentence and sentences, which shall be pronounced or issued by any such Court or Judge, Justice or Justices, as are herein before mentioned, for the purpose of carrying the provisions of this Act into execution.

Fines to be ac-  
counted for.

VII. *And be it further Enacted by the Authority aforesaid*, That all the fines, forfeitures and penalties that shall be incurred under and by virtue of this Act, shall be accounted for to his Majesty, his Heirs and Successors, to and for the public uses of this Province, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as it shall please his Majesty to direct.

## CHAP. III.

An ACT to repeal certain parts of an Act passed in the thirty-fourth year of his Majesty's reign, intituled, "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal," and to authorize his Majesty's Court of King's Bench in this Province, to regulate certain Fees, Costs and Charges therein mentioned.

[Passed 9th March, 1804.]

Preamble.

WHEREAS the law now in force regulating the fees to be allowed to, and taken by the Clerk of the Crown, Council, Attornies, Sheriffs, and other Officers of his Majesty's said Court of King's Bench in this Province, has been found not well adapted to the present circumstances and situation of this Province, and it has been found expedient that such fees should be regulated by the Court of King's Bench, 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, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "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 first day of the Term of Easter now next ensuing, so much of an Act passed in the thirty-fourth year of his Majesty's reign, intituled, "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal," as respects the allowance of fees, or wherein or whereby fees are authorized to be taken by, and allowed to certain persons for certain services specified and set forth in the said last recited Act, and in the table of fees thereunto subjoined, shall cease and determine, and shall be, and the same is hereby declared to be repealed.

Former Act  
respecting Fees  
repealed.

H. And

II. And be it further Enacted by the Authority aforesaid, That from and after the said first day of Easter Term next, it shall and may be lawful to and for the said Court of King's Bench, by order or rule, or orders or rules, to be pronounced by the said Court during the said Term of Easter, or during any subsequent Term or Terms, from time to time to ascertain, determine, declare and adjudge all and singular the fees which shall or may be taken, or be allowed to be taken by any Clerk of the Crown, Council, Attorney, Sheriff, Officer, or other person, for or in respect of any business heretofore done or transacted, or hereafter to be done or transacted in the Court of King's Bench, as well in civil causes and criminal prosecutions, as in all matters and things, causes and proceeding which now are, or shall or may be depending in the said Court which regard the King's revenue, or under any Commission of Oyer and Terminer and General Gaol Delivery, or under any Special Commission of Oyer and Terminer, any former law to the contrary notwithstanding.

Court of King's Bench to ascertain fees.

CHAP. IV.

An ACT to repeal so much of an Act passed in the thirty-fourth year of his Majesty's reign, intituled, "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large," as relates to Sheep, and to restrain the Owners of Rams from permitting them to run at large during a certain time of the year.

[Passed 9th March, 1804.]

WHEREAS it would tend to improve the breed and increase the number of sheep, if the owners of rams were restrained by Law from permitting them to run at large during a certain time of the year: 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, intituled, "An Act to repeal certain parts of an Act, passed in the fourteenth year of his Majesty's reign, intituled, "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 so much of an Act, passed in the thirty-fourth year of his Majesty's reign, intituled, "An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large," as impowers or authorizes the inhabitant householders, or the greater part of them in every district within this Province in their annual Town Meetings, to ascertain and determine in what manner and at what periods sheep shall be allowed to run at large within their respective Divisions, or to resolve that the same or any part thereof, shall be restrained from so doing, shall be and the same is hereby repealed.

Preamble.

Former Act authorizing Town Meetings to ascertain Sheep running at large repealed.

II. And be it further Enacted, That from and after the passing of this Act, it shall not be lawful for any person or persons within this Province, to have any ram or rams going at large within the said Province, from the first day of September until the twentieth day of December in each year, and if any ram or rams belonging to any such person or persons as aforesaid, shall be found going at large as aforesaid, such person or persons shall for every such ram going at large as aforesaid, between the said first day of September and the said twentieth day of December, forfeit and pay the sum of twenty shillings, which shall be recovered in a summary way before any one of his Majesty's Justices of the Peace, either upon the confession of the party complained of or upon the oath of one credible witness, which sum, after the party shall be so convicted, shall be levied by distress and sale of the offender's goods and chattels, returning the overplus, if any shall arise upon such sale, to the party complained of, after deducting the said sum of twenty shillings and the charges of the sale.

Rams not to run at large between 1st of September and 20th December.

Penalty for offences against this Act.

III. And be it further Enacted by the Authority aforesaid, That one half of the said sum of twenty shillings, shall be paid to the informer, and the other half shall be paid to the Receiver General, to and for the public uses of this Province.

Half the Penalty to be paid to the Receiver General.

IV. And whereas difficulty may arise in ascertaining to whom any ram or rams which shall