

Laws of His Majesty's Province of Upper-Canada in North America. York: John Bennett, Printer to the King's Most Excellent Majesty, 1804.

44 George III – Chapter 3

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.

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the table of fees thereunto subjoined, shall cease and determine, and shall be, and the same is hereby declared to be repealed.

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.