

Laws of Her Majesty's Province of Upper Canada, passed in the year 1838. York: Robert Stanton, 1838.

1 Victoria – Chapter 14

**An Act to amend an Act, entitled, “An Act to establish a Court of Chancery in this Province.”
Passed 6th March, 1838.**

Whereas by an Act passed in the seventh year of the reign of His late Majesty, entitled, “An Act to establish a Court of Chancery in this Province,” it is provided, that certain fees may be charged for services rendered in the said Court: And whereas it has been ascertained that the fees, according to the table in the said Act mentioned, have in some cases been found to be excessive: And whereas the said table of fees is in many instances defective: Be it therefore enacted by the Queen’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, entitled, “An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty’s reign, entitled, ‘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 Trinity Term next, it shall and may be lawful to and for the Vice-Chancellor, and the Judges of Her Majesty’s Court of King’s Bench, and they are hereby required, by order or rule, or orders or rules, to be made during the said Term of Trinity, or during any subsequent Term or Terms, from time to time, to ascertain, determine, declare and adjudge, all and singular, the fees which shall and may be taken, or be allowed to be taken, by any Registrar of the said Court of Chancery, Counsel, Solicitor or other Officer of the said Court, for or in respect of any business, after the first day of July next, to be done or transacted in the said Court of Chancery, in all matters and things; causes and proceedings, which hereafter shall or may be depending in the said Court, any former Law to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, That in no case shall the item of fees exceed any of the items of fees mentioned in the Schedule annexed to the Act entitled, “An Act to establish a Court of Chancery in this Province.”

III. And be it further enacted by the authority aforesaid, That when it may not be convenient to a person appointed a Master Extraordinary, to attend at Toronto, to take the Oath of Office, it shall and may be lawful for the Vice-Chancellor to direct such oath to be taken before the District Judge of the District wherein such Master Extraordinary may reside, the same to be returned and filed in the Office of the Registrar.