

|                                                                                                                            |   |    |    |
|----------------------------------------------------------------------------------------------------------------------------|---|----|----|
| The sum actually disbursed for abstract of title.                                                                          | £ | s. | d. |
| For selling each parcel of land .....                                                                                      | 1 | 5  | 0  |
| Commissioner for taking affidavit .....                                                                                    | 0 | 0  | 6  |
| Nots.—No charge to be allowed for selling any parcel of land after the second contained or described in the same mortgage. |   |    |    |

### DUTY OF TAXING OFFICERS.

**10.** It shall be the duty of every taxing officer referred to in this Act, to tax the bills of costs presented to him for taxation, as herein required, upon payment or tender of his fees, and to give when requested a certificate of such taxation and the amount thereof.

**11.** It shall be the duty of every taxing officer authorized to tax costs, to examine the bills presented to him for taxation, whether such taxation be opposed or not, and to be satisfied that the items charged in such bill are correct and legal, and to strike out all charges for services, which, in his opinion, were not necessary to be performed; and no bill previously taxed shall be again referred, unless under the special circumstances the Court or a Judge to whom the application is made thinks fit to direct a re-taxation thereof.

**12.** Whenever, in any action upon any written instrument, under seal or without seal, the execution thereof shall be denied by pleading, the plaintiff shall not be put to the proof of the execution of the instrument, or the handwriting of the defendant, unless the defendant (if resident in Upper Canada) or some one on his behalf, shall file and serve a copy of an affidavit of the truth of the plea, and the plaintiff shall annex a copy of such affidavit to the record entered for trial; and this section shall apply in actions brought against endorsers, as well as other parties to bills of exchange and promissory notes.

**TABLE OF COSTS IN FORCE IN THE SUPERIOR COURTS OF COMMON LAW AND IN THE COUNTY COURTS ANNULLED, AND A NEW TABLE OF COSTS ENACTED FOR THE SAID COURTS.**

**13.** The table of costs framed by the Judges of the Superior Courts of Common Law in Upper Canada, in the year of our Lord one thousand eight hundred and fifty-six, under the provisions of the Common Law Procedure Act; also the table of costs framed by the Judges of the Superior Courts of Common Law at Toronto, in the year of our Lord one thousand eight hundred and fifty-seven, in pursuance of the County Courts Amendment Act, 1857, are hereby repealed and annulled, and also every other table of costs, and every order for the allowance of costs now in force in the said Courts, or in the County Courts, are hereby declared void.

**14.** The table of costs set forth in schedule A in this Act shall, from and after the passing of this Act, be the general allowance of costs for plaintiffs and defendants, as well between attorney and client as between party and party, in suits and proceedings in Her Majesty's Courts of Queen's Bench, and Common Pleas, and in the County Courts in Upper Canada, and no other or greater costs shall be allowed in the said Courts respectively than are contained in the said schedule A, except fees expressly imposed by statute.

### TABLE OF COSTS.

#### *Explanation.*

The first column shews the present allowance of costs in the Queen's Bench and Common Pleas.