

siding over the Division Court for the time being in which such wrongful holding or getting possession as aforesaid shall take place, of any person or persons having held or obtained such wrongful possession thereof as aforesaid, and upon the order of a Judge of any of Her Majesty's Superior Courts of Law in Upper Canada, founded thereon, be arrested by the Sheriff of any County in which such person or persons shall be found, and be by him committed to the Common Gaol of his County, there to remain without Bail or mainprize until such Judge or such Superior Court shall be satisfied that such person or persons has or have not and never had or held any such matters or moneys he or they may have been charged with wrongfully holding or obtaining or that he or they has or have fully accounted for the same or delivered up the same to such Treasurer, or until he or they shall be otherwise discharged by due course of Law] and the Bailiffs of the Court shall serve all summonses, and execute all such orders, warrants, precepts and writs.

Duty of bailiffs.

XIV. And be it enacted, That there shall be payable on every proceeding in the Division Courts holden in pursuance of this Act, and to the Clerks and Bailiffs of the Courts, such fees as are set down in the Schedule to this Act annexed [marked A.] or which shall be set down in any Schedule of reduced fees, under the power hereinafter given for that purpose, and none other; and a table of such fees shall be hung up in some conspicuous place in the offices of the several Clerks of Division Courts; and the fees upon every proceeding shall be paid in the first instance by the Plaintiff, on or before such proceeding, and the Bailiff's fees upon executions, shall be paid to the Clerk of the Court, at the time of the issue of the warrant of execution, and shall be paid over by such Clerk to the Bailiff, upon the return of the warrant of execution, and not before:—Provided always, that if the Bailiff shall neglect to make a return, within the time required by law, of any summons, process or execution, he shall, for each such neglect, forfeit his fees on such summons, process, or execution, and all fees so forfeited, shall be accounted for and paid by the Clerk of the Court, to the Treasurer of the County, to form part of the General Fee Fund.

Fees to be those in the Schedule A, or in any Schedule of reduced fees.

Proviso; As to bailiff neglecting to return process.

XV. And be it enacted, That the Clerk of each Division Court shall, from time to time, and as often as he shall be required so to do by the Treasurer of his County, and at least once in every three months, deliver to him a full account in writing of the fees received in such Court, under the authority of this Act, and a like account of all fines levied by the Court, (accounting for and deducting the reasonable expenses of levying the same, and any allowance which the Judge may have made out of any such fine, in pursuance of the power hereinafter given,)

Clerks to render certain accounts to the County Treasurers.