

Courts to prevent action on unstamped proceedings.

7. The Court in which any such proceeding is, or is pending, which ought to be, but is not so duly stamped, shall not, nor shall any Judge of such Court take or allow any proceedings to be had or taken upon, or in respect of such proceeding, although no exception be raised thereto by any of the parties, until such proceeding has been first duly stamped. 5

Courts may allow proceedings to be subsequently stamped in certain cases, and on certain terms.

8. Any party to any proceeding which ought to be but is not so duly stamped may apply to the Court in which such proceeding is pending, or to any Judge having jurisdiction in the case for leave to have the same duly stamped, and in case this act has not been knowingly and wilfully violated, an order shall be made for the duly stamping of such proceeding, upon payment of such sum as may be thought reasonable, not exceeding ten times the amount of the stamp, and also the costs of the application. 10

And give retrospective effect to such stamping.

9. In all cases where the proceeding has been duly stamped under any order made for that purpose, the Court or Judge may give such retrospective operation to such proceeding so duly stamped as may be thought just and reasonable, under the circumstances. 15

Fees or dues to the Crown increased.

10. All fees now payable or hereafter at any time to become payable to the Crown for or in respect of any such proceedings as aforesaid, or for or in respect of such fees, dues, or emoluments now payable or hereafter to be payable to any Clerk or Officer of any Court whose fees shall be funded, and who shall be paid a salary in lieu thereof, shall after the passing of this Act, or after the fees of any such Clerk or Officer are directed to be funded, be at the following rates: 20

Rate of increase.

All such fees less than ten cents shall be increased to and paid at *ten cents*; all above ten cents and under twenty cents, at *twenty cents*; all above twenty cents and under thirty cents, at *thirty cents*; all above thirty cents and under forty cents, at *forty cents*; all above forty cents and under fifty cents, at *fifty cents*; and so in like manner all other fees which are not of a decimal amount shall be stated and payable at the decimal sum in cents next above the sum at which they are so stated. 30

Penalty on Officers receiving or executing unstamped proceedings, contrary to this Act.

11. Every Officer of any Court who shall knowingly issue to, or shall knowingly receive from any person, or shall knowingly serve or execute any proceeding upon which any such fee or charge is due or payable to the Crown as aforesaid, without the same being first duly stamped under this Act with or for the proper amount of the said fee or charge due or payable thereon, shall be subject for the first offence to a fine not exceeding *ten dollars*, for the second offence to a fine not exceeding *fifty dollars*, and for the third offence to a fine of *two hundred dollars*, and to the forfeiture of his office, together with the costs of the proceedings in every such case. 40

Penalty on persons receiving or delivering such unstamped proceedings.

12. Every person who shall knowingly receive from or deliver to any Court, or receive from or deliver to the Officer of any Court, or shall knowingly serve or execute any proceedings whatever upon which any such fee or charge is due or payable to the Crown as aforesaid, without the same being first duly stamped under this Act, with or for the proper amount of the said fee or charge due or payable thereon shall be subject to such fine as the Court in which the proceeding is, or any Judge thereof on any summary application may impose, not exceeding *five dollars* for the first offence and the costs of the proceedings, and not exceeding *twenty dollars* for the second or any future offence, together with the costs of the proceedings. 50