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J. F. McCreech  
V. I.

## ORDER OF COURT.

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### IN THE SUPREME COURT OF CIVIL JUSTICE OF THE COLONY OF VANCOUVER ISLAND.

Tuesday, the third day of April, in the Twenty-third year of Her Majesty's Reign, A. D. 1860.

**W**HEREAS by an order of the Queen's Most Excellent Majesty in Council, dated the fourth day of April, A. D., 1856, Her Majesty was graciously pleased to constitute the Supreme Court of Civil Justice of Vancouver Island, and to order and declare that it shall and may be lawful for the said Court, by any Rules or Orders of Court to be from time to time made and published, to frame, constitute, and establish such Rules, Orders and Regulations, as shall seem meet, touching and concerning all matters and things necessary for the proper conduct and dispatch of business in the said Court, and all such Orders, Rules and Regulations, from time to time, to revoke, alter, amend or renew, as occasion may require.

And whereas, by the Rules made and published on the 12th day of February, A. D., 1857, no provision was made touching and concerning the Fees to be lawfully demanded by and payable to any Attorney, Solicitor or Proctor, for the conduct of business in the said Court, and it is now desirable to provide for the same.

And whereas it is also expedient to reduce, alter, and amend the Schedule of Fees which was annexed to the said Rules, and are now payable and taken by the Officers of the said Court, and to substitute other Fees in lieu thereof.

It is therefore ordered, in pursuance of the authority given by Her Majesty's Order in Council as aforesaid :

1. That the Fees, Perquisites and Poundage, now payable to and taken by the Judge, Registrar, and Sheriff of the said Court, in relation to such proceedings as are set forth in the Schedule mentioned in Rule (141) one hundred and forty-one, of the Orders of the twelfth day of February, A. D., 1857, shall cease and be abolished.

2. The Fees specified in Schedule A, annexed hereto, shall be payable and taken by the Registrar, and by the Judge's Clerk, in relation to all Common Law proceedings as are therein mentioned. And the Fees specified in Schedules C and G, hereunto annexed, shall be payable and taken by the said Officers in relation to all Chancery proceedings, and in relation to all proceedings as to Probates of Wills and Letters of Administration of the Estates of deceased persons, respectively, as are therein mentioned and set forth.

3. And whereas it is expedient that the Judge, Registrar, and Clerk of the Writs, should not retain such Fees for their own use, but in lieu thereof receive such salary, as having regard to the nature and duty of their office, His Excellency, the Governor, shall think just. It is therefore ordered, that all Fees received by Officers of the Court under the preceding Orders, shall be accounted for and paid by them respectively, once in every month, unto the Treasurer of the Colony, to be by him placed to an account entitled the "Suitors' Fee Fund Account," which shall be chargeable with the said salaries, and the other expenses of the Court; and the amount so received and paid by such Officers, shall be verified by the affidavit of the accounting party.

4. Every Court Fee mentioned and set forth in the Schedules aforesaid, and which shall be payable on the issuing, entering, or filing of any document to be used in any proceeding in the said Court, shall be endorsed in red ink, in words at length, on such document, with the amount paid therefor, by the Officer receiving the Fee, and subscribed with the initial letters of his name. And no document shall be received or filed, or be used in relation to any proceeding in the said Court, or be of any validity for any purpose whatsoever, unless the amount of the Fee shall be so endorsed thereon. Provided always, that if it should appear that any such document has been filed or received, through mistake or inadvertence, without such endorsement, the Judge may, if he think fit, on being satisfied that the Fee has been paid, order the endorsement to be made thereon, and such