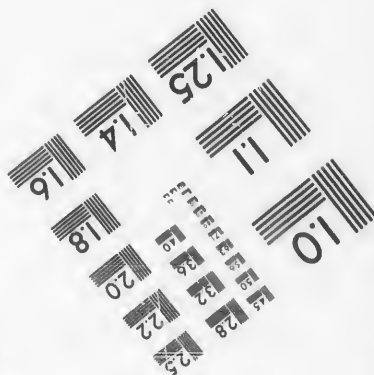
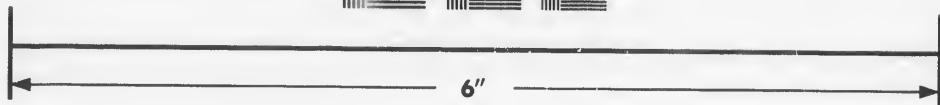
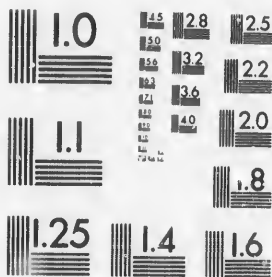


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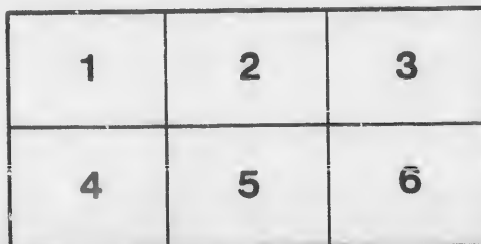
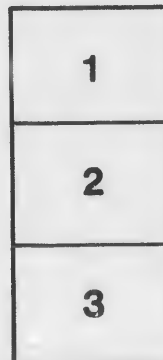
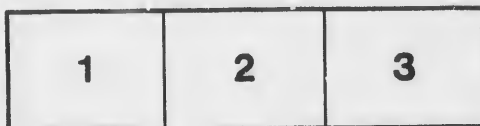
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NEW TARIFFS OF THE ATTORNIES

FOR THE

SUPERIOR AND CIRCUIT COURTS,

OF

1868.

Done on a portable form and so arranged as to exhibit at one view a comparative table of both Tariffs.

Carefully prepared by

MM. KERNICK & DE MONTIGNY.

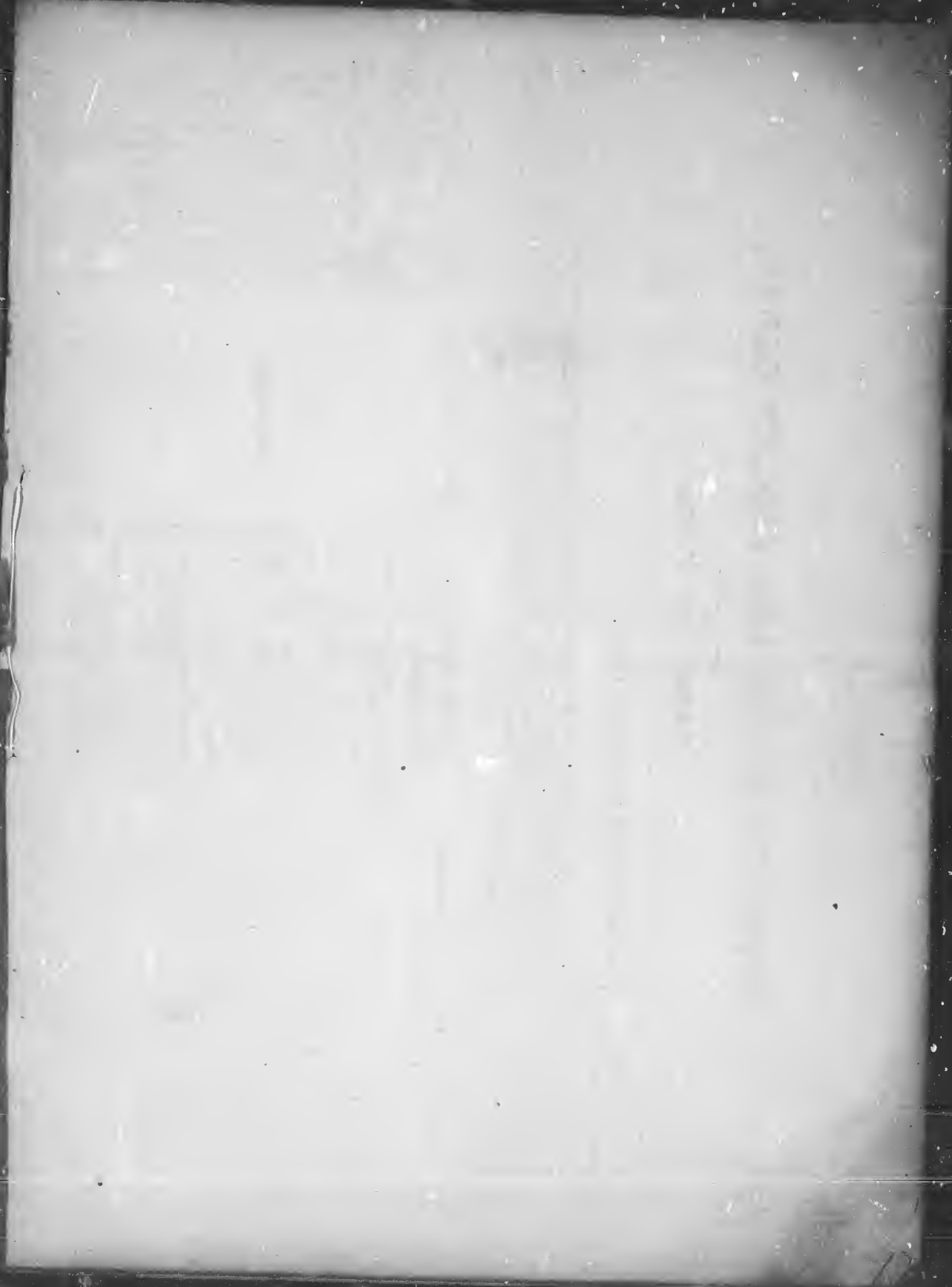


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LA MINERVE STYAN THINE

1868.





SUPERIOR COURT AND CIRCUIT COURT.

TABLE OF FEES.

CANADA, } SUPERIOR COURT AND CIRCUIT COURT.
 PROVINCE OF QUEBEC. }

IT IS HEREBY ORDERED that the following fees be allowed to the Counsel, A-vocates and Attornies practising in the Superior and Circuit Court, and to the Bailiffs of said S. C. in actions to be instituted, and upon other proceedings to be commenced from and after the day on which the present Tariff shall be entered by the Prothonotary and Clerk of said Courts in the Registers of the same as by Law directed; and the Tariff of Fees for the Counsel, Advocates and Attornies, practising in these Courts, and for the Bailiffs of the said S. C., the original whereof was entered in the Registers of the said Courts, at the City of Quebec, on the twentieth day of July 1852, is hereby repealed in so far as regards actions to be instituted, and other proceedings to be commenced from and after the day on which the present Tariff shall be so entered in the Registers of these Courts.

SUPERIOR COURT AND CIRCUIT COURT.
 (IN CASES OVER \$60.)

	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY.	
	First class consists of :		Sup. Court
10. Personal actions when the value in contest exceeds \$400.			To Plaintiff's Atty.
20. Real and mixed actions not otherwise specially provided for.			1st Class over \$100.
30. Actions <i>en séparation de corps et de biens et en déclaration de paternité.</i>			2d Class over \$60 to \$100.
40. Proceedings by <i>Mandamus, scire facias, Requête libellée or Prohibition,</i> or others, under Nos. 997 to 1033 of the Code of Civil Procedure and upon like proceedings.			\$ 100. \$ 100. \$ 100. \$ 100. \$ 100. \$ 100.
	Second class consists of :	In cases over \$60.	
10. Personal Actions when value in contest does not exceed \$400.			
20. Actions <i>en séparation de biens.</i>			
30. Actions or petitions <i>en destitution de tutelle or curatelle.</i>			
40. All actions not included in 1st class and not otherwise specially provided for.			

ACTIONS NOT CONTESTED.

ACTIONS NOT CONTESTED.

10. If the Action be settled before the return.....	1800	1400	1000	000	600	000
20. If the Action be settled, or if Defendant confess judgment, on the day of the return, or on the next following juridical day.....	2000	1600	1200	000	800	000
30. If the Action be settled, or if the Defendant confess judgment, after the delay mentioned in the next preceding number, but before plea filed, or inscription for <i>Enquête</i> , or inscription for final hearing on the merits where no <i>Enquête</i> is necessary.....	2200	1800	1500	000	1000	000
40. If the Action be settled after the inscription on the <i>Rôle des Enquêtes</i> , but before the closing of the <i>Enquête</i> ; or if the Action be settled after inscription for final hearing on the merits, where no <i>Enquête</i> is necessary; or if judgment be rendered on such last mentioned inscription.....	2500	2000	1600	000	1200	000
50. If the action be settled after <i>Enquête</i> closed, or if judgment be rendered in such Action after <i>Enquête</i> in any of the above cases in which the Defendant may have appeared by Attorney—to Defendant's Attorney on actions returned, or on <i>congé défaut</i>	3600	2400	2000	000	1600	000
60.	600	500	500	000	300	000

ACTIONS CONTESTED.

	SUPERIOR COURT ONLY.			SUPERIOR COURT AND CIRCUIT COURT.			CIRCUIT COURT ONLY.			SUPERIOR COURT.			CIRCUIT COURT.		
	PLFF.	DFT.	\$ Cts.	PLFF.	DFT.	\$ Cts.	PLFF.	DFT.	\$ Cts.	PLFF.	DFT.	\$ Cts.	PLFF.	DFT.	\$ Cts.
70. If the action be settled after the filing of any plea, other than a plea to the merits and without <i>Enquête</i> on such plea, or if the action be dismissed on such plea and without <i>Enquête</i>	3000	2500	2500	3000	2500	2000	3000	2500	2000	3000	2500	2000	3000	2500	2000
80. If the Action be settled after the filing of a plea to the merits, but before the inscription on the <i>Rôle des Enquêtes</i> , where an <i>Enquête</i> is necessary, or before the inscription for final hearing, where no <i>Enquête</i> is necessary.....	4000	3000	2500	4000	3000	2500	4000	3000	2500	4000	3000	2500	4000	3000	2500
90. If the Action be settled after the inscription on the <i>Rôle des Enquêtes</i> , but before the inscription for final hearing.....	5000	4000	4000	5000	4000	3500	5000	4000	3500	5000	4000	3500	5000	4000	3500
10. If the Action be settled after the inscription for final hearing, or if judgment be rendered on such hearing.....	6000	5000	5000	6000	5000	4000	6000	5000	4000	6000	5000	4000	6000	5000	4000

If there be an *Enquête* on any such plea an additional fee of \$4 to each attorney.

11. The costs in Actions *en Révocation* against the Plaintiff according to the value of the property claimed, and against the Defendant according to the value of the property for which Judgment is rendered.
 12. Hypothecary actions and actions for seigniorial dues where the title of the seignior is not contested, are to be considered in respect of costs as merely personal actions.

The costs in actions *en reddition de compte*, to be taxed as against the Plaintiff according to the amount demanded, and as against the Defendant, according to the amount for which he is accountable.

In any action of ejectment under the Lessor and Lessee act not including actions in which either rent is or damages are sued for (which actions are provided for by statute) the costs to be as in a personal action (in the Superior Court or Circuit Court as the case may be) for a sum of money equal to the value of the premises leased for the year current at the time of the institution of the action; or, if the lease shall have expired, then for the last year to which the lease extended.

In actions of damages for personal wrongs (excepting in actions in which the Court shall find the damages to be under forty shillings sterling) the cost to be taxed as of the class to be determined by the final Judgment.

130.

In suits in the C. Court under \$100, for fees of office, duties, rent, revenues or sums of money, payable to the crown, or which relate to any titles to lands or tenements, to seigniorial or other annual rents, and such like matters and things, whereby rights in future may be bound; and in hypothecary and mixed actions, under \$100, those shall except when otherwise expressly provided for, be the same fees as in merely personal actions, or value of the thing awarded, unless there be an evocation by either of the parties; and then the fees, on the evocation shall be the same as in actions of the 2d class in the Superior Court, which costs shall include all services in both courts.

140.

150. Or Jury.

160.

In actions for sums of money under \$200 instituted by writ of *capias ad respondendum*, in the S. C. the costs to be as in actions over \$100 in C. Court.

170.

In any case where the Defendant sever in their Defense the Plaintiff's Attorney shall receive on each additional issue one half of the sum which he would have received had there been but one issue, the whole amount to be payable in equal proportions by the party or parties to each issue.

ADDITIONAL FEES.

SUPERIOR COURT AND CIRCUIT COURT.

SUPERIOR COURT ONLY.

CIRCUIT COURT ONLY.

	Sp. Court	Circuit Court
	1st. Class over \$100	2d. Class over \$60 to \$100
In all cases over \$60.	\$ 1 00	\$ 1 00
11.	cts. 1 00	cts. 1 00
12.	cts. 1 00	cts. 1 00
13.	3 00	2 00
14.	12 00	4 00
15.	10 00	4 00

18 For the second and every additional copy of the Plaintiff's Declaration
 Affidavit to obtain *saisie revendication, saisie arrêt, saisie gagerte*.....
 where affidavit required and action commenced by such process (this fee not to be allowed for any affidavit referring in general terms to the facts set forth in the petition or pleading in support of which such affidavit is made).....

19 *capias ad respondendum*.....
 Writ of certiorari or other prerogative writ.....
 20 of *capias ad respondendum*.....
 (Affidavit included.)
 if action of 1st. class.....
 if action of 2d. class.....

On any Exception détermination, dilatoire or préemptoire à la forme, or Défense au fonds en droit. overridden. To the

To the attorney suing out the same 12 00
 if action of 1st. class 4 00
 if action of 2d. class 10 00

21. On any Exception déclinatoire, dilatoire or péremptoire à la forme, or Défense au fonds en droit, overruled. To the Plaintiff's attorney.....	14	8 00	4 00	2 00
On any other plea, overruled, after law issue raised upon it.....	15.	6 00	4 00	2 00
To the successful party.....				
To the opposite party.....		8 00	4 00	2 00
On any exception dilatoire maintained.....	16.	6 00	4 00	2 00
To the Defendant's attorney.....				
To the Plaintiff's attorney.....		15 00	5 00	4 00
		10 00	3 00	2 00
		The fees allowed in the foregoing numbers 14 and 16 are exclusive of the fee allowed when an enquête takes place upon a preliminary plea.		
22. If the Plaintiff be permitted to amend his declaration after the filing of an exception à la forme. To the Defendant's attorney.....	17.	7 00	2 00	2 00
if the plaintiff be permitted to amend his declaration after the filing of a defense au fonds en droit. To the Defendant's attorney.....	18.			
For all proceedings on any petition motion or rule nisi specially provided for upon which costs are ordered to be paid.....	19.	10 00	4 00	4 00
To the party to whom costs are awarded.....		3 00	2 00	1 00
(same fee on motion or other proceedings to call in creditors including affidavits.....				
For all proceedings respecting the pushing in of security. To each attorney.....	20.		1 00	1 00
27. For putting in security for costs. To each attorney.....		3 00		
28.in any case not otherwise provided for.....				
29. Enquête fee in any contested cause, tried by Jury or Judge, to Counsel (other than attorney of Record) filing appearance at, and actually conducting Enquête.....		10 00		
30. In cases to be tried by Jury To each attorney for preparation of factum.....		5 00	2 00	1 00
To each attorney for statement of facts required by art. 353, code de procédure, including copy for adverse party.....		8 00		
31. In every case of trial by Jury where a motion is made for a new trial or in arrest of judgment, non obstante veredicto, or for non suit, where all, or any of these remedies are sought, one fee only to be allowed for the whole of		3 00		

When the Enquête in any contested case is continued party bound to proceed not being ready, to adverse party.....

SUPERIOR COURT AND CIRCUIT COURT.

SUPERIOR COURT ONLY.

CIRCUIT COURT ONLY.

	Sp. Court		Circuit Court	
	\$	cls.	\$	cls.
the proceedings in each such case up to judgment therein.				
To each attorney	17	00		
If action of 1st class	10	00		
If action of 2nd class				
32. On any hearing on the merits ordered in a contested action.				
To each attorney	10	00		
21. On any re-hearing upon the merits ordered by the Court in any contested cause.				
To each attorney			5	00
33.			3	00
34.			3	00
35.			2	00
36.in an action of second class.			2	00
37.			5	00
38.			3	00
39.			2	00
If action of 1st class	0	10	0	10
If action of 2nd class	2	00	1	00
40.			5	00
410.			1	00
.....or for an order for a sale in consequence of a <i>folle enchere</i> , or for a <i>seizure</i> for the removal thereof, and for all proceedings on any application either before or after judgment to liberate any person arrested for debt, otherwise than by giving bail				
.....property				
.....saisie-arret				
.....or in cases of <i>Rebellion & Justice</i> .				
.....goods				
.....Attachment				
260.			4	00
6	00		4	00
			3	00

If cause shewn but without *enquête*.
To the attorney of applicant

are usual

To the attorney of applicant, if no cause shown

or in cases of *Rebellus et Justice*

Attachment

6 00 4 00 3 00

If cause shown but without <i>enquête</i> . To the attorney of applicant To the attorney shewing cause.	420.	270.	10 00 6 00 4 00 4 00 3 00
If an <i>enquête</i> be necessary on any of the proceedings mentioned in the foregoing number or on any preliminary plea or upon any other incidental proceeding not specially provided for To each attorney an additional fee of	280.	26 and 27.	6 00 4 00 3 00
430. When the <i>Enquête</i> , in any contested cause, is continued, party bound to proceed not being ready, fee to adverse party (where costs ordered to be paid) 440. For cross examining every witness over five on each side in any contested case. 450. Preparing statement of facts. 460. Preparing answer. 460. For the special application required by article 218 of the Code of Civil Procedure. 470.	430. 440. 450. 460. 460. 470.	8 00 6 00 4 00	8 00 6 00 4 00
To <i>commissaire enquêteur</i> for performing all services in any case referred to him not exceeding the examination of three witnesses. For each witness above three.	480. 490. 500.	450.	6 00 10 00 2 00 0 00
For prosecuting to judgment a report of distribution not contested. For all proceedings upon a contestation of a report of distribution if the contestation be not withdrawn or acquiesced in before the inscription for final hearing on the merits, when the amount of the collocation contested is above. To the attorney contesting. To the attorney claiming. If the amount of the collocation contested.	51. 52. 53. 54. 55.	290. 30. 31. 32. 33.	20 00 5 00 3 00 10 00 9 00 0 00 2 00 1 00 0 00 20 00 5 00 3 00
To the attorney of the party contesting. To the attorney of the party claiming. If the amount of the collocation contested.	56. 57. 58.	31. 32. 33.	18 00 10 00 6 00 14 00 8 00 0 00 15 00 6 00 0 00 10 00 4 00 0 00
To the attorney of the party contesting. To the attorney of the party claiming. If the amount of the collocation contested.	59. 60. 61.	34. 35. 36.	10 00 8 00 0 00 10 00 6 00 0 00 10 00 8 00 0 00
If the contestation be withdrawn or acquiesced in before the inscription for final hearing To the attorney of the party contesting one half of the above fees according to the class. To the attorney of the party claiming one half of the above fees on the merits one half of the above fees. No. 31.	62. 63. 64. 65.	37. 38. 39. 40.	8 00 6 00 0 00 8 00 6 00 0 00 8 00 6 00 0 00

SUPERIOR COURT AND CIRCUIT COURT.

SUPERIOR COURT ONLY.

CIRCUIT COURT ONLY.

	Sp. Court		Circuit Court	
	\$	cts.	\$	cts.
For all proceedings after judgment ordering an account to be rendered in any action <i>en reddition de compte</i> if the account be acquired in without <i>débats</i> . To each attorney.....	10	00	6	00
If the account be contested the costs to be the same as in a contested personal action, the class to be determined by the amount for which the <i>rendant compte</i> shall be declared accountable beyond the amount admitted to be due by the account lyled, if the costs be payable by the <i>rendant compte</i> , and by the amount claimed by the <i>débats de compte</i> , if the costs be payable by the <i>quant compte</i> .				
For all proceedings to cause a curator to be appointed to a <i>détaiement</i> in any hypothecary action.....	5	00	3	00
And to the curator.....	20	00	3	00
For all proceedings on a licitation of one heritage or more after judgment rendered.....	40	00		
On <i>désaveu, requête civile, Tierce opposition</i> , costs to be the same as in original demand of same class.				
Costs on interventions and incidental cross demands to be the same as on original demands of same class.				
For all proceedings on a licitation of one heritage or more after judgment rendered.....	8	00		
On <i>désaveu, requête civile, Tierce opposition</i> , costs to be the same as in original demand of same class.	10	00		
If it exceed \$200.....	14	00		
If it exceed \$200 and do not exceed \$400.....	16	00		
If it exceed \$400.....			4	00
If contested, costs to be the same as in personal actions for the same amount in the Superior Court or Circuit Court, as the case may be, excepting [for the Superior Court] that the costs upon the contestation of any opposition for a sum not exceeding \$60 shall be the same as in contested actions in the Circuit Court above \$60 and under \$100.			4	00
If the sum due be less than \$100.....			6	00
If the sum due be \$100 or over.....			6	00

56. For all proceedings after judgment ordering an account to be rendered in any action *en reddition de compte* if the account be acquired in without *débats*.
To each attorney.....

57. If the account be contested the costs to be the same as in a contested personal action, the class to be determined by the amount for which the *rendant compte* shall be declared accountable beyond the amount admitted to be due by the account lyled, if the costs be payable by the *rendant compte*, and by the amount claimed by the *débats de compte*, if the costs be payable by the *quant compte*.

58. In actions *en séparation de biens* or *en séparation de corps et de biens*, for all proceedings to liquidate the matrimonial rights of the Plaintiff.
If not contested to Plaintiff's atty.....
If contested. To each atty.....

59. For all proceedings to cause a curator to be appointed to a *détaiement* in any hypothecary action.....

35. Aud to the curator.....

INTERVENTIONS.

60. Costs on interventions and incidental cross demands to be the same as on original demands of same class.

61. For all proceedings on a licitation of one heritage or more after judgment rendered.....

62. On *désaveu, requête civile, Tierce opposition*, costs to be the same as in original demand of same class.

Oppositions afin de conserver non contestés.

63. If the sum do not exceed \$80.....

64. If it exceed \$80 and not exceed \$200.....

65. If it exceed \$200 and do not exceed \$400.....

66. If it exceed \$400.....

67. If contested, costs to be the same as in personal actions for the same amount in the Superior Court or Circuit Court, as the case may be, excepting [for the Superior Court] that the costs upon the contestation of any opposition for a sum not exceeding \$60 shall be the same as in contested actions in the Circuit Court above \$60 and under \$100.

And excepting for the appealable side Circuit Court that

as in contested actions in the Circuit Court above \$60 and under \$100.

And excepting for the appealable side Circuit Court; that the costs on contestation of any opposition for a sum not exceeding \$60 shall be the same as in a contested action for a sum exceeding \$60 and under \$100. On any opposition *afn d amulter, afn de distratre*.....if not contested.....

68. other opposition.....*afn de charge* or any other opposition.....

69. If contested, costs to be as in actions of the 2nd class.....

RATIFICATION OF TITLE.

FOR ALL PROCEEDINGS TO OBTAIN A SENTENCE OF RATIFICATION OF TITLE.

70. To the Petitioner's Attorney if purchase money do not exceed \$400.....

71. If purchase money exceed \$400 and do not exceed \$1000. Or if the consideration be not of a pecuniary nature.....

72. If purchase money exceed \$1000.....

73. Fees on oppositions to sentence of Ratification of title and on contestations thereof to be the same as on oppositions to execution and contestation thereof.

EXPROPRIATIONS.

74. For all proceedings on behalf of a proprietor expropriated to obtain an order for the payment over of the monies.....

If the value of the property expropriated exceed \$400.....

If it does not exceed \$400.....

For opposing successfully the homologation of a Report of Commissioners where a written appearance for that purpose shall have been put in and allowed.....

Where the value of the property respecting which the objection arises exceeds \$400.....

Where it does not exceed.....

CERTIORARI.

75. If settled before the filing of such Writ. To the Petitioner.....

If writ refused. To party shewing cause.....

76. If not settled before the filing of such Writ. To Petitioner.....

To Respondent.....

39.	15 00	6 90	4 00
40. If contested the same fees as in original action.	14 06		
	20 00		
	25 00		
	16 00		
	12 00		
	40 00		
	30 00		
	10 00		
	6 00		
	16 00		
	10 00		

Commissions Regateires and Orders for the Examination of Witnesses.

	SUPERIOR COURT ONLY.	CIRCUIT COURT ONLY.	Sp. Court.	Cirt. C.
	77.	41.	\$ 5 00	\$ 2 00
To the attorney suing out the same.....		42.	4 00	3 00
For drawing Interrogatories or cross Interrogatories.....	78.			
To the attorneys engaged where the writ or order is executed.				
For taking instructions, examining papers &c. To each attorney.....	79.	43.	5 00	4 00
For the examination in chief or cross examination of each witness.....	80.	44.	2 00	1 00
For the attorney prosecuting the execution of any such writ or order an additional fee of.....	81.	45.	4 00	3 00
PROBATES, HABEAS CORPUS, &c.				
82. For all Fees to obtain Probate of a will or writ of <i>Habeas corpus</i> without <i>Enquete</i>			10 00	
83. If <i>Enquete</i> takes place an additional fee of.....			8 00	
For all fees to obtain appointment of tutor to minors, or curator to person or property, or for removal of interdiction, or for emancipation or any other such proceeding.				
If not contested.....			5 00	
If contested :				
To Petitioners attorney.....			15 00	
To adverse party.....			12 00	
If <i>Enquete</i> necessary on such contestation.....			8 00	
On petition of curator &c., to render account including notices.....			4 00	
EVOCATIONS.				
84. If maintained the costs to be the same as in actions of the second class which costs shall included all services in both courts.				
If rejected, to each attorney.....			5 00	
INSCRIPTIONS EN FAUX.				
85. To the attorney for direction for drawing a power of attorney.....			4 00	
86. Attendance at <i>Procès verbal</i> of the <i>pièce arguée de faux</i>			4 00	
87. If settled before <i>moyens de faux</i> are filed each motion required by the Rules of practice, and also the declaration to be made by the defen-				

dant *en faux* as to whether he intends to avail himself of the docu-

plied each indoubt required by the Rules of practice, and also the declaration to be made by the defend-

88. If settled after the *moyens de faux* are filed, but before the answer, the fees of the attorney of plaintiff *en faux* shall be as on the No 1 of the Table, and the fees of the attorney of the defendant *en faux* shall be as in No. 6 of the table, and if the settlement take place at any subsequent stage of the proceedings or if judgment be rendered on such *Inscription en faux* the costs shall be as in the original demand, if settled at a like stage.

CASES IN REVIEW.

89. Under \$400.
If settled before hearing. To each Attorney.....

90. After hearing. To each attorney.....

91. In cases of \$400 — or over.
If settled before hearing.....

92. Factum in Review—To each Attorney.....

On appeal from Trinity House or other Tribunal, to Superior Court.....

If contested:
Attorney for Appellant.....

Attorney for Respondent.....

If not contested:
Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

Attorney for appellant.....

15 00

30 00

20 00

40 00

6 00

20 00

12 00

12 00

14 00

10 00

10 00

7 00

4 00

APPEALS.

46. On an appeal to the Circuit Court, if contested, to the appellant's attorney.....

To the respondent's attorney.....

47. If not contested:
To the Attorney of Appellant.....

48. If appeal be dismissed or settled before final hearing on the merits. To the attorney of the appellant.....

To the attorney of the Respondent.....

CONTESTED ELECTIONS, CIRCUIT COURT.

49. On contestation of Elections of Municipal officers or school commissioners costs to be as in sections between \$100 and \$200.....

CIRCUIT COURT ONLY.

SUPERIOR COURT ONLY.

SUPERIOR COURT AND CIRCUIT COURT.

Fees respecting writ of Certiorari.....
 50. And on proceedings to obtain probate to any will and for appointment of tutor to minors and curator to any person or property or otherwise or for removal of interdictions or emancipation, same in Circuit Court as in Superior Court.....

INSCRIPTION EN FAUX.

51. If settled before *moyens de faux* are filed, each motion required by the Rules of Practice, and also the declaration to be made by the Defendant en faux as to whether he intends to avail himself of the document impeached shall be taxed as a motion according to the foregoing No. 19.....
 52. If settled after the *moyens de faux* are filed, but before answer the fees of the attorney of the Plaintiff en faux, and the fees of the Defendant en faux, shall be as in No. 1, of the same table; and if the settlement take place at any subsequent stage of the proceedings, or if judgment be rendered, the costs shall be the same as on the original demand at a like stage.....

CIRCUIT COURT.

CASES OF \$60 OR UNDER.

TO THE ATTORNEY.

1. On all proceedings in actions settled before return [except those on which additional fees are hereinafter allowed]—To the plaintiff's Attorney.....
2. On all proceedings except as aforesaid after return and before contestation, or in which judgment shall be given on confession, or by default or *Esparte* without *Enquête*, that is to say, without the examination in Court of any witness or party.—To the Plaintiff's Attorney.....
 And to Defendant's Attorney on actions returned or on *congé défaut*.....
 And to the Defendant's Attorney.....
3. On the same if the judgment be given by default or *Esparte*, but with *Enquête*.—To the Plaintiff's Attorney.....
 And to the Defendant's Attorney.....
4. On the same in actions settled or discontinued after contestation.—To the Plaintiff's Attorney.....
 And to the Defendant's Attorney.....
5. On the same, when the judgment shall be given after contestation.—To the Plaintiff's Attorney.....
 And to the Defendant's Attorney.....
6. In all hypothecary or Mixed Actions settled before return, an additional fee.—To the Plaintiff's Attorney, \$3.00.
7. If settled after *Enquête* or if judgment be rendered, an additional fee.—To the Plaintiff's Attorney, \$4.00.
8. In actions of damages for personal wrongs (excepting in actions in which the Court shall find the damages to be under forty shillings sterling) the costs to be taxed as of the class to be determined by the final judgment unless ordered by final judgment.
9. On each opposition *afin de distraire*, *afin d'annuler*, *afin de conserver*, or other oppositions or interventions not contested.....
10. On all oppositions [excepting oppositions *afin de conserver*] and interventions, when contested, the same fees as in the original actions to which the same shall be incident.

1st Class. Actions \$60 or under, but above \$40.	2nd Class. Actions \$40 or under, but above \$25.	3rd Class. Actions \$25 or under.
\$ 2	\$ 1	\$ 1
50	50	00
4	2	1
00	00	50
2	1	00
00	50	00
5	3	2
00	00	00
2	1	1
00	50	00
5	3	2
00	00	50
6	3	50
00	3	50
5	3	50
3	2	1
00	50	1
3	2	1
00	50	1

11. On oppositions *afin de conserver*, if contested, same fees as in Original Action for a like sum.
 12. On oppositions after judgment uncontested.....

10. On all oppositions (excepting oppositions *afin de conserver*) and interventions, when contested, the same fees as in the original actions to which the same shall be incident.

11. On oppositions <i>afin de conserver</i> , if contested, same fees as in Original Action for a like sum.	2	00	1	50	1	00
12. On <i>Saisie-Arrêt</i> , after judgment uncontested.....	2	00	1	50	1	00
13. If declaration of <i>Tiers-Saisie</i> be contested, same fees as in original action for a like sum.	0	75	0	50	0	25
14. On suing out any writ of <i>Saisi Gagerie</i> , <i>Saisie Revendication</i> or <i>Saisie Arrêt</i> before judgment or on any special declaration required by the Court.—To Plaintiff's Attorney.....	1	50	1	00	0	50
15. For each copy, more than one, of any declaration, petition, intervention, or opposition.....	4	00	3	00	2	00
16. In all incidental cross-demands, the same fees that are allowed in original actions for a like sum.	3	00	2	00	1	00
17. For each plea required to be in writing ordered by the Court, including copy.—To the Defendant's Attorney.....	3	00	2	30	1	50
18. On each proceeding to take up the <i>instance</i> or to declare a judgment executory or for <i>contrainte per corps</i> , or in any cases of <i>Rebellion à Justice</i> or to set <i>Saisie Arrêt</i> aside on ground that allegations of affidavit are untrue.—To the Attorney prosecuting the same, if contested.....	3	00	2	00	1	50
19. And to the Attorney resisting the application.....	2	00	1	50	0	50
20. On a <i>Commission Rogatoire</i> and on all proceedings relative thereto.—To the Attorney suing out the same.....	3	00	2	00	1	50
21. To the Attorney employed by either party to attend to the execution of such commission.....	3	00	2	00	1	50
22. On any denurrer maintained.....	1	00	0	75	0	50

Quebec, 30th December 1868.

TO THE BAILIFFS.

SUPERIOR COURT AND CIRCUIT COURT.

SUPERIOR COURT ONLY.

CIRCUIT COURT ONLY.

	SUPERIOR COURT ONLY.		CIRCUIT COURT ONLY.		Sup. Court.		Circuit Court.	
	£	s.	£	s.	£	s.	£	s.
Appealable cases.								
For the service of any writ or other paper, upon an attorney as such, including return.....	0	1	0	0	0	1	0	3
For the service of a writ of subpoena on each witness including return.....	0	1	0	6	0	2	0	6
For the service of a writ of summons or other writ or paper not otherwise provided for including return.....	0	2	0	6	0	3	0	6
.....when required.....	0	12	0	6	0	10	0	0
Real estate.....	0	15	0	0	0	12	0	6
.....to moveables.....	0	2	0	6	0	2	0	6
If more than one lot of land included in any seizure for each additional lot.....	0	2	0	6	0	2	0	6
.....not otherwise provided for.....	0	2	0	6	0	2	0	6

SUPERIOR COURT AND CIRCUIT COURT.

Appealable cases.

For the service of any writ or other document required by law to be served personally, including return.....

For all proceedings on the arrest of any person including return.....

For the seizure of..... or attachment of moveables including original *procès verbal* and copies for the *saisi* and for guardian.....

For every publication in both languages at the church door..... including *affiches* affixing same etc.....

SUPERIOR COURT AND CIRCUIT COURT.

SUPERIOR COURT ONLY.

CIRCUIT COURT ONLY.

Sup. Court. Circuit Court

	£	S.	D.	£	S.	D.
For the sale of real or personal property including <i>procès verbal</i> of sale and more than one lot of land be sold under the same writ, for each additional lot sold.....	0	12	6	0	7	6
.....and no land.....	0	2	6	0	3	6
For <i>procès verbal</i> of no goods.....	0	2	6	0	3	6
.....including copy if required.....	0	5	0	0	5	0
For a <i>procès de rébellion à justice</i> and copy.....	0	12	6	0	10	0
For all services executing a Writ of possession, including <i>procès verbal</i>	0	3	9	0	2	0
For recors when required.....	0	5	0	0	5	0
If recors necessarily employed more than half a day at the rate of.....	0	5	0	0	5	0
For the appointment of a new guardian when legally required so to do, including <i>procès verbal</i> , copy etc.	1	0	0	0	7	6
In any case in which in consequence of more than one person being interested in the property seized or sold an additional copy or copies of <i>procès verbal</i> is or are necessary, for each extra copy so required.....	0	2	6	0	2	0
If any paper to be prepared by a Bailiff.....	0	12	6	0	12	6
.....necessarily contains more than 300 words, the additional to be charged at the rate of.....						
.....per hundred words, in addition to the fees herein before allowed.....						
Mileage on the Service or Execution of a Writ or of process of any kind, at the rate of.....						
.....per mile, as heretofore without any further charge for mileage on any other process to be served on the same party then in the hands of the Bailiff, and which shall be or might have been served at the same time (whether such process shall have been sued out by the same party or by any other) and without any charge						
.....excepting <i>procès verbaux</i> of seizure of real estate.....						
.....five pence.....						
.....four pence.....						
.....one shilling and three pence.....						
.....one shilling.....						
.....3s. 4d. per day.....						
For the posting and publication of separate notices for a Ratification of title including return.....	1	0	0			
For the attendance on Jury Trials under the direction of the Sheriff <i>per diem</i> (when required).....	0	7	6			
If in consequence of the quantity of goods to be seized or sold, a Bailiff is necessarily occupied more than one day, in making such seizure or sale the additional time, when certified by the sheriff, to be charged at the rate of twelve shillings and dispence per day.....						

for mileage in returning, but exclusive of sums paid at

shall be or might have been served at the same time (whether such process shall have been sued out by the same party or by any other) and without any charge

for mileage in returning, but exclusive of sums paid at Toll-gates, Ferries and Bridges, No mileage to be allowed, unless the distance exceed one mile

NON APPEALABLE CASES.

Mileage on the service or execution of a writ or of Process of any kind at the rate of one shilling per mile, without any further charge for mileage on any other process to be served on the same party then in the hands of the Bailiff and which shall be or might have been served at the same time [whether such Process shall have been sued out by the same party or by any other, and without any charge for mileage in returning, but exclusive of sums paid at Toll-gates, Ferries and Bridges]

No mileage to be allowed unless the distance exceed one mile.

For the Service Certificate or Return of such Writ or Process.....
 For the Seizure of Goods and Chattels and all incidental trouble but exclusive of Mileage.....
 For his *recors* (when required).....
 For the sale of Goods and Chattels exclusive of Mileage.....
 For publishing the notices of sale.....
 For the service of any Notice, and the Certificate and Return.....

1st Class Actions exceeding £15, but not above £100 currency.	2nd Class Actions £10 and under £6 3s.			3rd Class Actions £6 and under £5s. or under.					
	£	s.	d.	£	s.	d.	£	s.	d.
0	1	3	0	1	3	0	1	3	0
0	7	6	0	5	0	0	5	0	5
0	1	8	0	1	8	0	1	8	0
0	7	6	0	5	0	0	5	0	5
0	2	0	0	2	0	0	2	0	0
0	1	0	0	1	0	0	1	0	0

QUEBEC, 30th December, 1868.

W. C. MEREDITH, CHIEF JUSTICE, S. C.
 C. MONDELET, J.
 E. SHORT, J. S. C. J.
 A. POLETTE, J. C. S.
 A. STUART.
 J. A. BERTHELOT, J. C. S.
 T. J. J. LORANGER, J. C. S.

L. V. SICOTTE, J. C. S.
 F. G. JOHNSON, J. S. C.
 T. TASCHEREAU, J. C. S.
 JOS. N. BOSSE, J. C. S.
 J. MAGUIRE, J. S. C.
 F. W. TORRANCE, J. S. C.

Published in open Court, registered and entered at Quebec the 30th day of December, 1868.

(Signed,) FISET & BURROUGHS, P. S. C.

