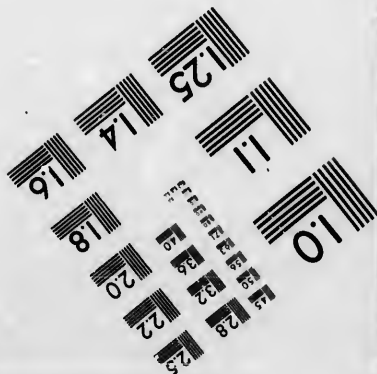
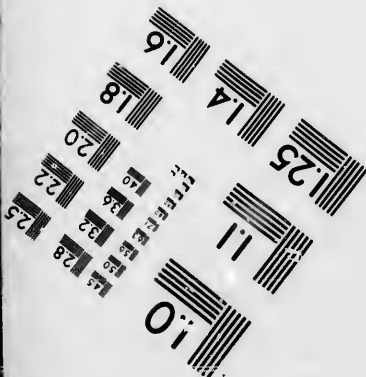
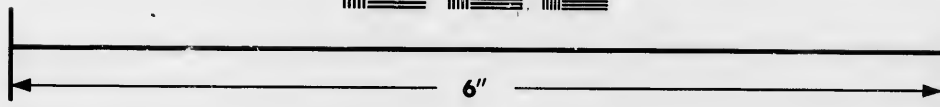
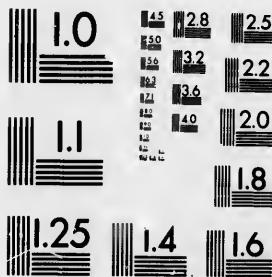


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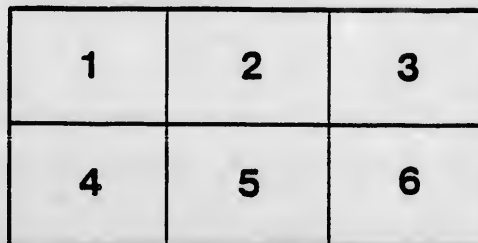
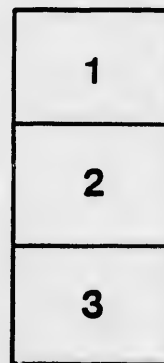
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**(PUBLISHED BY ORDER.)**

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***DISTRICT OF NIAGARA.***

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[*Mem.*—By an Order of Court, of date August 9th, 1843, a Committee of Nine Magistrates was appointed, (and afterwards increased to Eleven) to examine the Tariff of Fees and Orders of Court then existing. At the January Sessions, 1844, the Report of the Committee was submitted, and before adoption, the Sheriff and other officers offered remonstrances against the Tariff of Fees recommended. The Report was adopted by the Court, composed of 17 Magistrates, and on the same day Eight Members of the same Committee were re-appointed to re-consider the whole Tariff of Fees and allowances, if brought to notice, and for other purposes, which second Committee also reported at the ensuing Sessions in April, 1844, confirming the preceding Report.

The Orders and Tariff are now in operation, but for the purpose of full information, the Reports, Orders and Tariffs, are ordered to be published and placed in the possession of each Justice of the Peace, preparatory to a final discussion at the ensuing July Sessions.]

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**REPORT**

**Of the Committee upon Tariff of Fees, Orders of Court, &c.**

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***To the Magistrates of the District of Niagara, in General Quarter Sessions of the Peace Assembled.***

The Committee on the Fees and Orders of Court appointed by the following order of the Court of Quarter Sessions of the Peace, held by Adjournment at the office of the Clerk of the Peace, in and for the said District, on the ninth day of August, 1843, to wit:

*"In Adjourned General Quarter Sessions, August 9th, 1843.*

*Ordered*—That Messrs. W. H. Dickson, Jacob Keefer, James Cummings, Dr. Hodder, E. C. Campbell, Duncan McFarland, Robert Hobson, John C. Ball, and Thomas Butler, Esquires, be appointed a Committee to examine Tariff of Fees and Orders of Court, &c., and to report thereon at the next General Quarter Sessions, five to form a quorum."

Now beg leave to report that, in obedience to this Order, they were unable to assemble together to proceed upon the matter submitted to them, at any period convenient to a sufficient number, previous to the the ensuing General Quarter Sessions in the month of October, and that upon the representation thereof to the Court, it was ordered as follows, to wit:

*"In General Quarter Sessions, October 10th, 1843.*

*Ordered*—That the Committee on District allowances do report at the next General Quarter Sessions, and that they do meet on the third of November next, the day to which this Court will adjourn."

Since the adoption of this latter order, the Committee met upon several occasions, and engaged in the duty assigned to them; but in consequence of the extent of the labour, and the numerous questions arising, it was found impossible to complete their investigation and deliberations, without an increase of numbers, and in consequence of a representation thereof to the Court, the following provision was made:

*"In Adjourned General Quarter Sessions, December 21st, 1843.*

*Ordered*—That Ralph Marden Long, and William Michael Ball, Esquires, be added to the Committee on District Allowances and Orders of Court."

The Committee now beg leave to report, that, upon examination of the Records in the Office of the Clerk, of the Peace, they find a great number of General Orders of this Court, commencing from the year 1833, and extending to the present time—some temporary, and some permanent—which Orders are contained upon several pages herewith, and which, for convenience of reference, your Committee have numbered from 110 62, inclusive.

They find the following, to wit: numbers 2, 4 and 11, respectively appointing a Gaol Committee—number 34 authorising debentures to be issued to Cheque holders for debts of Five Pounds and upwards against the District—number 35 requiring a list of such debentures from the Treasurer—number 51 requiring the attention of the Justices to make returns of informations, convictions, &c., out of Sessions, to the Court—number 54 relating to the rent of the Market—number 55 relating to the Market Clerk—number 57 relating to the refunding of Members' Wages—number 61 also relative to the refunding of Members' Wages, and number 60 relative to the publication of an Order upon License applications, to be temporary Orders, and therefore requiring no further notice at present.

That the Orders, numbered 5, 5 and 8, relative to the rendering and auditing of the Public Accounts, have been rendered nugatory by the enactments of the Statute 7th William IV, Chapter 18, passed in the year 1837, providing on the same subject.

That the Orders number 11 transferring the duty of the Gaol Committee to the Sheriff—numbers 14, 17 and 26, authorising at different periods—the Clerk of the Peace—the Sheriff—and the Gaoler to furnish Stationery for the Court, and number 32 increasing the Gaoler's Salary to one hundred and twenty five Pounds have been rescinded.

With respect to Order number 1, passed on the twenty fifth day of October, 1833, relative to the selling of Squibs or Gunpowder Crackers, or using them in the Town of Niagara, the authority of the Court to make such an Order may appear questionable. Upon reference to the Statute of the late Province of Upper Canada first enacted upon the subject, being the 57th George III, Chapter 4, they find that the Commissioners of the Peace in their Court of General Quarter Sessions are authorised to fix upon and establish some convenient place in the Town of Niagara as a Market, where butchers meat, butter, eggs, poultry, fish, and vegetables shall be exposed to sale, and to appoint such days and hours for that purpose, and to make such other orders and regulations relative thereto as they shall deem expedient.

The next Statute they find is the 59th George III, Chapter 5, which makes no allusion to the one above referred to, but enacts that it shall be lawful for the Magistrates assembled in Quarter Sessions for the said District, or the majority of them, to make such prudential rules and regulations as they may deem expedient, relative to building a Market House, paving, lighting, keeping in repair and improving the Streets of the said Town, regulating the Assize of Bread, Slaughter Houses, Nuisances, &c.

And in a subsequent clause authorises the Magistrates in General Quarter Sessions of the Peace, or the major part of them, as often as they shall make and publish any such rules and regulations for the purposes aforesaid, to make, ordain, limit, and provide such reasonable fines upon the offenders against such rules and regulations as they may think proper, not exceeding Forty Shillings for any one offence; and this latter Statute, though limited in its duration, has been continued by the 4th George IV, Chapter 34, in general terms.

Under the second of these Statutes, which provides that the Magistrates may make such prudential rules and regulations as they may deem expedient, and amongst other things confers power relative to regulating nuisances, it may probably be considered that the Order above alluded to is defensible; but should the power be thus vested, and have been legally exercised, the form of the Order may require amendment to insure conviction upon its infraction. The same may be said of some other Police Regulations; and at present it may be prudent to rescind that Order, and not substitute any provision in its stead until it becomes known whether or not the new Incorporation Bills for Towns, or the Incorporation Bill for the Town of Niagara, will pass into Law; after which, if the power should be considered vested in the Magistrates, or should it become so, various prudential Police Regulations in addition will suggest themselves for adoption.

Should the Committee, however, undertake the investigation of this branch more fully, they will in a supplemental Report, express the result of their labors, and extend them generally to the Market—the Police, and the Gaol Regulations.

The Order number 3, passed January 28th, 1834, previous to the Statute 3d Victoria, Chapter 20, now appears to be inconsistent therewith, or repugnant thereto. This Statute virtually, though not in express

words, sanctions a renewed application for a License to keep an Inn, or to retail Liquors not spirituous, being made after refusal, inasmuch as the 4th Section declares that it shall not be lawful, at any subsequent Session in that year, to reconsider such application, unless a greater number of Justices shall be present than were on the Bench when the same was refused, and therefore, your Committee are of opinion that the Statute impliedly sanctions such applications, under certain restrictions, at any General Quarter Sessions during the year, although rejected at the general Licensing day.

The Order number 56, on the same subject, does not appear to be repugnant to that or any other Statute, inasmuch as it assumes only to provide where the statute last referred to is silent; that in cases where the application has been granted, and the license not taken out, a new application will not be entertained at any subsequent Session during the year ensuing; but in either case, the application being made and entertained, they cannot discover that the Magistrates may not refuse to grant the Certificate for a License, making the policy of that Order number 3, the ground of such refusal in the one case, and the positive Order number 56, their authority in the other case.

The Order number 28, dated September, 1838, imposing restrictions on all Boats upon the Niagara River, was adopted and passed during a period of political excitement and threatened invasion, and is now in the opinion of the Committee unnecessary. They recommend that the same be rescinded, and that at present it be not renewed by the Court.

That with respect to Order number 24, regulating the emmuted allowances to the Clerk of the Peace, your Committee, anticipating more definite action by the Municipal Council relative to ascertaining the duties rendered to them by that officer, and the allowances therefor, and other matters necessarily affecting the remuneration by the Court, have not extended their examination to that subject, nor to the change in the duties, further than to report the allowances they find fixed by Statute, which are abstracted and annexed hereto.

[Mem.—The orders above referred to being numerous, and now chiefly embodied in the substituted ones, are omitted in these printed copies.]

That your Committee find the remaining Orders to be in force; but for the purposes of revision, amendment and classification, they recommend all to be rescinded except number 21, including the Orders regulating the Tariff of Fees and Allowances to all District Officers under the control of the Magistrates, or paid out of the funds provided for the administration of Justice. Your Committee have therefore substituted those hereafter appearing, and numbered from 1 to 42 inclusive, subject to the approval of, and adoption by the Court.

#### GENERAL ORDERS.

*Ordered*—That all the Orders of this Court heretofore adopted and remaining in force (and contained in the List annexed to this Report, numbered from 1 to 62 inclusive) be rescinded.

*Ordered*—That the Orders of each preceding Session be read over by the Clerk of the Peace on the first day of each General Quarter Sessions, immediately after the charge to the Grand Jury, and before entering upon any business of such Sessions.

*Ordered*—That the Tariff of Fees for all the Officers of this Court now established, be henceforth the rule of allowance to them respectively for services therein provided for, except as respects the now Clerk of the Peace, whose remuneration is provided for, as to the greater portion of his services, by a fixed Salary.

*Ordered*—That the Receipt for summoning Juries be made out by the Clerk of the Peace and delivered to the Sheriff, thirty days at least before the sitting of each Court of General Quarter Sessions.

*Ordered*—That all Orders of Court of a public nature hereafter made, shall from time to time, as adopted, be published in one of the Newspapers of the District.

#### CLERK OF THE PEACE.

*Ordered*—That there be granted to the Clerk of the Peace an annual salary of Two Hundred and Fifty Pounds, in lieu of all charges against the District, payable quarterly, including this present quarter.

Further, that this Order shall not interfere with any sums the Clerk of the Peace may be entitled to receive from private individuals, when the Court in their sentence require payment of a Fine and Costs, or in any other case wherein individuals make application to the Court. This sum of £250 not to embrace the allowance for correcting the Assessment Rolls.—[Renewed pro. tem.]

*Ordered*—That the fees allowed to the Clerk of the Peace for extending upon the Collectors' Rolls the Assessment for the Lunatic Asylum be paid to him from that fund when it comes into the hands of the Treasurer, and that the Treasurer account to the Receiver General for the balance only, after deducting such charge, according to the rate allowed in the Table of Fees.

## CONVEYING CONVICTS.

*Ordered*—That for conveying Prisoners to the Provincial Penitentiary, no greater than the following number of Guards or Assistants will be paid for by the District, (besides the Sheriff or his Deputy) unless under very special circumstances, verified to the Court by affidavit, sworn to before a Justice of the Peace.

For one Prisoner, or for Prisoners not exceeding five in number, two Guards.

Exceeding five in number, and not exceeding eight, three Guards.

Exceeding eight in number, and not exceeding twelve, four Guards.

And for every five Prisoners beyond, one Guard Additional.

*Ordered*—That the claim of the Sheriff upon the District for conveying Prisoners to the Provincial Penitentiary hereafter shall not be audited, allowed, or paid, unless an account in detail of every disbursement be rendered, accompanied by voucher from each person to whom any sums of money have been paid, whether for the conveyance or for the meals of the convicts, or any other charge.

## DEPUTY SHERIFF.

*Ordered*—That the attendance of the Deputy Sheriff at the several Courts in the District, is unnecessary, and that no allowance be made to such officer for attendance out of the District Funds, except in cases of the sickness or unavoidable absence of the High Sheriff, any precept or Jury process to the contrary notwithstanding.

## CORONERS.

*Ordered*—That no fee or mileage will hereafter be allowed to any Coroner in his accounts for a Surgeon upon any Inquest, nor to a Surgeon for such services, unless such Surgeon shall have been required by the Jury, and signified in writing under the hand of their Foreman, which shall be produced by the Coroner or Surgeon as the voucher upon the auditing of the account.

## DISTRICT OFFICERS.

*Ordered*—That for the future the following annual Salaries be allowed and paid to District officers connected with the administration of Justice, and others under the direction and control of the Magistrates, in lieu of those salaries heretofore respectively allowed and paid; to commence from the last day of January Sessions, 1844, and payable quarterly on the last day of each General Quarter Sessions.

1. To the Gaol Physician, including all medicines, the annual allowance of Forty Pounds.
2. To the Crier, the annual allowance of Sixteen Pounds.
3. To the Gaoler, the annual allowance of One Hundred and Twenty Five Pounds.
4. To one Turnkey, the annual allowance of Forty Pounds.

## PHYSICIAN.

*Ordered*—That Henry Rolle, Esquire, be continued Gaol Physician.

## CRIER.

*Ordered*—That Patrick Finn be continued Crier of the Courts.

## CONSTABLES.

*Ordered*—That this Court from henceforth will pay for the attendance of four Constables, exclusive of the High Constable, for each day during the sitting of the Courts of General Quarter Sessions and District Court, and for the attendance of eight Constables, inclusive of the High Constable, for each day during the Courts of Assize and Nisi Prius, Oyer and Terminer, &c., and that such Constables be not paid for such attendance, unless they continue during each day in the presence of the respective Courts engaged at their duty during the period of their sittings, or with Juries, and unless such continued attendance be certified by the Sheriff.

## TURNKEYS.

*Ordered*—That no under Turnkey or other assistant be paid or allowed out of the District funds for any services, unless his or their employment be previously sanctioned by an order of this Court in General Quarter or in Adjourned Sessions, unless some unforeseen emergency should require it, on which event the Gaol Committee may make the temporary appointment until the first ensuing Court.



GAOL SUPPLIES.

*Ordered*—That the Clerk of the Peace do, on or before the first day of March in each year, cause a notice to be inserted and published in at least two of the Newspapers of the District, (if that number exist) requiring Sealed Tenders to be left at his Office on or before the thirty-first day of the same month of March by eleven of the clock in the forenoon, for the supply of Fuel, Bread, Meat, Straw, Potatoes or other necessaries to the Gaoler, at and for the use of the Gaol, for the ensuing twelve months, commencing on the first day of May, and that the name of one surety in his own handwriting be required to be added to the said Tender, and subsequently to the written Contract, binding himself for the due performance thereof by the principal.

GAOL CONTRACTS.

*Ordered*—That henceforth no accounts or claims for Fuel, Bread, Meat, Straw, Potatoes, or other necessaries for the use of the Gaol of the District, be audited, allowed, or paid, unless the Gaoler for the time being enter into Contracts in writing for the same, to be approved of by at least three of the nearest Justices of the Peace, and which contracts are to exist for the ensuing twelve months, from the first day of May in each year, payment being made by Cheque on the Treasurer, delivered to each Contractor at the several Courts of General Quarter Sessions.

DISTRICT ALLOWANCE.

*Ordered*—That no allowance be made by the Gaoler for a longer period than forty-eight hours of Beef, Bread, or other necessaries, to any person convicted of Petty Trespasses or other offences tried summarily before one or more Justice or Justices of the Peace, (except for Assault and Battery, or trespass to property, where a fine is imposed upon such person in addition to damages,) or convicted for hawking and peddling— for selling Goods at Auction, or for selling or retailing Spirituous Liquors, or Ale and Beer without License, or offences of a similar nature, on complaints instituted at the instance of public officers, such as the Inspector of Licenses—the Collectors of Customs, or other similar officers, (unless such allowance be made under the authority of two Justices of the Peace of the Gaol Committee, under their hand, and certified by the Clerk of the Peace.)

*Ordered*—That no allowance of Beef, Bread, or other necessaries, be made to any person committed to the Gaol for further examination, unless the Justice or Justices in the detainer direct it otherwise.

GAOL FURNITURE, &c.

*Ordered*—That no articles of Clothing, Bedding, supplies or necessaries of any description, (not contracted for under Order number 18,) be purchased, procured, or received, for the use of the Gaol, unless sanctioned by the order of three Justices of the Peace at least, (of whom the Chairman shall be one,) and that upon the depositing of such order with the Clerk of the Peace, it shall be his duty to sign and issue a requisition in compliance therewith.

GAOL RETURNS:

*Ordered*—That the Gaoler of the District do furnish to the Clerk of the Peace, for the use of the Magistrates, on the first day of every month, not being a Sunday or other legal Holiday, returns showing a daily account for the preceding month, of Prisoners admitted, discharged, or continuing within the Gaol, which returns shall contain columns showing the daily state of health, also the daily quantities received of Beef, Bread, Straw, Wood, Potatoes, and Candles, and of all articles authorized by requisition of the Clerk of the Peace upon the order of the Justices of the Peace; and that the Clerk of the Peace do furnish the necessary blanks, prepared according to the forms following, varying according to circumstances:

No. 1.

JANUARY, 1844.

NAMES.	CRIME.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
John Smith,	Larceny,	1	1	1	1	1	1	1	1	d																						
Jas. Jackson,	Felony,												1	1	1	Sick	Sick	1	1	1	1	1	1	1	d							
Henry Brown,	Murder,										1	1	1	1	1	1	1	1	1	1	1	Sick	Sick	1	1	Sick	1	1	1	1	1	

JANUARY AND FEBRUARY, 1844.

MONTH.	BEEF.	BREAD.	STRAW.	WOOD.	POTATOES.	CANDLES.	VEGETABLES.
January, 23.							
" 24.							
" 25.							

DATED, \_\_\_\_\_ 1844.  
A— P—, Gaoler.

And that in default of such returns or either of them, as above required, no Cheque do issue for any account or salary of the said Gaoler.

GAOL INVENTORY.

*Ordered*—That the Gaoler do deliver to the Clerk of the Peace, on or before the first day of the Quarter Sessions next, an Inventory of the public personal property, Furniture, Beds, Bedding, Utensils, &c. &c., in his possession, whether received from his predecessor, or after the period of his own appointment, to the day of delivering such Inventory, accompanied by such remarks as he may desire to offer; and on every succeeding first day of the General Quarter Sessions a similar Inventory, embracing former ones, and all property received up to the period of such Sessions respectively, and that in default thereof, no cheque do issue for any account, or Salary of the said Gaoler.

DISTRICT ACCOUNTS.

*Ordered*—That all accounts or claims against the District of Niagara by the Sheriff or any of his officers, or any officer of this Court, claiming mileage and disbursements in the discharge of their duties, be accompanied by an affidavit of such officer sworn to before some Justice of the Peace, specifying the mileage necessarily travelled, or disbursement necessarily made, or accompanied by a certificate from the Justice or Justices of the Peace, before whom or under whose authority the services may have been rendered, specifying that proof on oath has been made before such Justice or Justices of the number of miles travelled, or of the amount of the disbursement made.

*Ordered*—That no accounts or claims against the District be received by this Court for audit, but at the four quarterly periods of meeting established by law, and then to be proceeded upon according to the Statute in that behalf made; and that henceforth the Clerk of the Peace, at each such Sessions, do number with continuous figures or letters and date the several accounts and claims in the order delivered to him.

DISTRICT CHEQUES.

*Ordered*—That henceforth each cheque for money upon the Treasurer, do specify particularly the Act of Parliament—the Eye Law—the Order or Contract, or other authority under which the same issues.

SERVICE OF PROCESS, &c.

*Ordered*—That no allowances be made or authorized for services rendered and chargeable upon the District Funds under the control of this Court, to any persons, except the Sheriff or his Deputy, and the recognized officers of this Court provided for in the several Tables of Fees, and also excepting the Guards or Assistants selected by the Sheriff to convey Prisoners to the Public Penitentiary at Kingston.

FEES AND COSTS.

*Ordered*—That no accounts or claims on the part of Justices of the Peace, Constables, or other Officers or persons, will be entertained or audited by this Court, or authorized to be paid out of the District Funds, upon any proceedings had for petty trespasses or offences tried summarily before one or more Justice or Justices of the Peace, or for Hawking and Peddling, selling Goods at Auction, selling or retailing Spirituous Liquors without License, or offences of a similar nature, instituted at the instance of public officers, such as the Inspector of Licenses, Collectors of Customs, or other officers, except in cases of Assault and Battery or others where the proceeds of the Conviction, or a part thereof, is or would be payable into the hands of the District Treasurer, or otherwise for District or local purposes.

LICENSES, &c.

*Ordered*—That the Clerk of the Peace be authorized to demand one shilling and three pence from all successful applicants for Licenses as Innkeepers or Retailers of Ale and Beer, &c., in the District of Niagara, in addition to other legal, accustomed, or established fees, and that in consideration of such additional fee, the Clerk of the Peace do pay all the printing and publishing connected therewith, as required by law.

*Ordered*—That upon applications for Licenses to Innkeepers and Retailers of Ale and Beer, &c., at the Adjourned Sessions, on the 30th day of December in each year, and upon every application thereafter, a personal attendance of each applicant will be required, or an excuse for his absence given to the Court at the time; and inasmuch as the Court will adjourn from the last Licensing day in December, until the 5th day of January ensuing, the absence applicants must then appear to enter into their Recognizances with sureties, otherwise no certificate shall issue from the Court, unless in case of sickness proved to the satisfaction of the Court at the time last mentioned.

*Ordered*—That inasmuch as the practice heretofore prevailing of Magistrates certifying for Public Inns, &c., to be kept by persons of whom or of whose houses and accommodation for travellers little or nothing could be known personally to them, is unsatisfactory. That hereafter the Clerk of the Peace do not present to any General Quarter Sessions, or Adjourned Quarter Sessions, any Petition for a License to keep an Inn, or to sell Ale or Beer, and other Liquors not Spirituous, by retail, or to assign or transfer any License, unless the same to his knowledge be recommended by the nearest resident and disinterested Magistrate, except a special excuse be given by the applicant, to explain the omission, with a declaration on his or her part of a readiness to sustain such excuse on Oath before the Court, and if required, sustaining the same under oath administered in open Court.

*Ordered*—That in all cases of the rejection of applications for Licenses to Innkeepers or Retailers of Ale, Beer, and other Liquors not Spirituous, the Clerk of the Peace shall hereafter enter of Record in his minutes of the proceedings of the Court, the Yeas and Nays, and the total number of Magistrates present when such vota was taken.

*Ordered*—That in all cases where certificates are granted, at any General or Adjourned Quarter Sessions, the Licenses must be taken out on or before the fifth day of January following, according to Law, in default whereof, no renewed application will be successfully made during the ensuing twelve months after the granting of such certificate.

*Ordered*—That all new applicants for keeping Inns, or for Ale and Beer Licenses, shall appear in person on the General Licensing day, or such other time as their applications are presented, and in default thereof, the Petition shall be rejected without further cause, unless a sufficient excuse be given to the Court by some agent appearing in his behalf.

*Ordered*—That the Recognizances required of Innkeepers and Retailers of Ale, Beer, and other Liquors not Spirituous, and the Certificate issued upon application for Licenses by them, be entered into and executed respectively, in open Court, at the Adjourned or Quarter Sessions during which the application is made, and that they be respectively according to the following forms, adapted as the case may be:

RECOGNIZANCE OF INNKEEPERS.

PROVINCE OF CANADA,  
DISTRICT OF NIAGARA,  
TO WIT:

A — B —  
C — D —  
E — F —

£10  
5  
5

£20

WE, A B — of the Town — of — in the said District — C D — of the Town — of — and E F — of the Town — of — do severally acknowledge to owe to our Sovereign Lady the Queen, that is to say, the said A B — the sum of Ten Pounds and the said D C — and E F — the sum of Five Pounds each of Lawful Money of the Province of Canada, to be levied of our respective Goods and Chattels, Lands and Tenements, to the use of our said Lady the Queen, Her Heirs and Successors, if the said A B — shall make default in the Condition hereunder written.

The Condition of this Recognizance is such, that if the above bounden A B — who has been approved of by the Justices of the District of Niagara, in Quarter Sessions assembled, as a fit person to apply for, receive, and take out a License to keep a House of Public Entertainment, for Retailing Wine, Brandy, Rum, or other Spirituous Liquors, or to sell Ale, Beer, Cider, and other Liquors not Spirituous, in the House wherein he now dwelleth, in the — of — to be in force until the fifth day of January, One Thousand Eight Hundred and — inclusive, do and shall well and truly keep an Orderly and Decent House, during the continuation of his License, and shall not suffer any disorderly conduct, or any unlawful Games to be used

or played in said House, or in any Out-House, Yard, Garden, or other premises thereunto belonging; and do and shall abide by the Rules and Regulations made and framed by the Magistrates, for the observance of the several Innkeepers, and of the keepers of the several Ale and Beer Houses, in the District of Niagara; then this Recognizance shall be null and void, otherwise remain in full force and effect.

Taken and acknowledged before me at Niagara, in open Court, this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_

A — B —  
C — D —  
E — F —

*Clerk of the Peace, Niagara District.*

**CERTIFICATE THEREON.**

PROVINCE OF CANADA, }  
DISTRICT OF NIAGARA, }  
TO WIT: } In \_\_\_\_\_ General Quarter Sessions of the Peace,  
Niagara, \_\_\_\_\_ 18\_\_\_\_

Mr. A B — of the \_\_\_\_\_ of \_\_\_\_\_ having this day made application to the Court as the Law directs, for a certificate to enable him to obtain a License to keep a House of Public Entertainment, for Retailing Wine, Brandy, Rum, and other Spirituous Liquors, or to sell Ale, Beer, Cider, and Liquors not Spirituous in the House wherein he now dwelleth, for the year ensuing the fifth day of January, 18\_\_\_\_, is approved of by the Justices of the said District as a fit person: and having duly entered into the Recognizance with sufficient sureties as required, you will therefore issue the same to him upon his application.

License set at £ \_\_\_\_\_ By the Court,  
To \_\_\_\_\_ Esquire, }  
District Inspector. } *Chairman.* L. S.

*Ordered*—That the Rules and Regulations made and framed by the Magistrates of the District of Niagara, on the twentieth day of December, 1843, for the observance of the several Licensed Innkeepers, and of the Retailers of Ale, Beer, and other Liquors not Spirituous in the said District, and delivered to each of them by the Clerk of the Peace, be affixed by the said Innkeepers and Retailers respectively, in some conspicuous place, for the information of Travellers, in their respective Bars of the Houses so Licensed, and that they do respectively keep the said Rules and Regulations continually (during each current year) so affixed.

And also for the same purposes, and in the same manner, do affix and keep affixed, all Rules and Regulations made and framed hereafter from time to time, according to law, in each succeeding year, upon their being delivered to them respectively by the said Clerk of the Peace of the District of Niagara.

*Ordered*—That the Gaoler do, within 48 hours after the commitment of any person convicted before one or more Justice or Justices of the Peace, out of Sessions, report the same, and the cause thereof, to one of the Gaol Committee, and the apparent or known circumstances or solvency of such person or persons.

**GAOLER.**

*Ordered*—That as the Gaoler and Turnkey of the District each occasionally engage in other business inconsistent with their respective offices, as well at a distance from their charge in the Gaols within the limits of the County or District Town, their time respectively, whilst so absent and employed, ought not to be thus indirectly a charge upon the District funds; and therefore it is Ordered that such sums from time to time be deducted from such officers' quarterly Salary as the services computed by any Tariff of Fees, or other established rule of allowances, will amount to, or in the absence of any such Tariff or rule applicable thereto, then as computed by the day, the daily amount proportioned to the Salary, to be deducted therefrom as aforesaid.

And that at each General Quarter Sessions of the Peace, each of the said officers shall produce from the High Sheriff a certificate that the said officers respectively have, during the preceding quarter, been continually employed at their duty connected with the Gaol, and have not been employed in any other service whatever during that period.

**PRINTING.**

*Ordered*—That the Clerk of the Peace do Advertise for Tenders for the Printing and Publishing of the District for one year, to commence on the *eleventh* day of April next: and that he do in every succeeding year hereafter, cause the same advertisement to be published for the same purposes during subsequent years, till further ordered by the Court, and those to commence on the first of April.

**FIRE COMPANIES.**

*Ordered*—That some Officer of each Fire Company in the District, shall make to the Court a quarterly return on the first day of each General Quarter Sessions, of the names of the persons in the Company con-

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tinuing to do duty therein, to whom Certificates have issued from the Clerk of the Peace according to Law. That the certificates so issued, shall be subject to such quarterly returns being made, and hereafter the condition shall be expressed therein; and in default of such return, all such certificates shall be considered void, and the holder or person subjected to all Parish and other such duties as the said Certificate, if in force, would have relieved him from.

FERRIES.

*Ordered*—That each of the Ferry Boats at the several Ferries on the Niagara River, shall be sufficiently large and commodious to carry as safely as possible in similar Craft, at all times and seasons, at least six grown up persons, and that no greater number than eight grown up persons in all shall be received into such Boat or Boats, including the watermen or managers thereof, under any circumstances, unless the same be rated over one ton

That the Fees authorized by the Magistrates shall be demanded or received by the owner or owners of such Boats, or their Agents, and no more.

That each Boat shall be managed by an able-bodied and experienced waterman—that such a waterman shall be in constant attendance at each of said Ferries daily between sunrise in the morning and sunset in the evening—that no Ferry Boats shall be allowed to cross the River between any other periods.

That the owner or owners of such Boats, at either or any of the said Ferries, shall not suffer any Passenger demanding to be conveyed across said River, and tendering the lawful fee, to be detained longer than half an hour (unless in the event of said River being obstructed by ice or rendered dangerous by tempest.)

That each of such Boats shall be propelled by oars, horse-power, or steam; that no sail or sails shall be allowed to be used upon any of said Boats.

That the passengers shall be conveyed in the Boat wherein they embark, to the opposite shore of the River, without being exchanged into any other Boat or Boats, (except in the case of any Steamer or other Vessel being in the stream, and into which the passenger or passengers may expressly desire to embark.)

And that the owner or owners of such Boats shall affix and keep affixed in his and their ferry-house or room, in a conspicuous place, a copy of this Order and of all Regulations from time to time made, and of the Fees authorized to be taken.

And it is hereby further Ordered, that for the breach of this Order, or any part of it, by omission or commission, on the part of any of the owners of such Boats, or persons having charge of the said Ferries, he or they shall forfeit and pay the sum of twenty shillings and costs, without any appeal, upon being convicted thereof, upon his or their own confession, or the oath of one credible witness, before any one of Her Majesty's Justices of the Peace for the District of Niagara, to be tried, levied, and recovered in the same manner as upon other Summary proceedings before one or more Justices—one half of said Fine or forfeiture to be paid to the Informer, and the other half to the Treasurer of the District, to be applied to the public use thereof.

FEEES AT FERRIES.

*Ordered*—That the following Fees, and no more, shall be allowed at and for each Ferry, to be demanded by the owner of the Boat, or his waterman or agent.

	£	s.	d.
1. For every passenger over 12 years of age,.....	0	0	7½
2. For every passenger under 12 years of age,.....	0	0	3½
3. For every man and horse,.....	0	1	3
4. For every single waggon, or carriage, two or four wheels, and the driver,...	0	2	6
5. For every double waggon, or carriage, two or four wheels, and the driver,...	0	3	9
6. For horses and horned cattle in droves, each head,.....	0	0	3½
7. For sheep or swine per head, each,.....	0	0	2
8. For extra baggage, per barrel bulk,.....	0	0	3½

Your Committee have adopted anew the substance of many of the Orders herein recommended to be rescinded; they have amended them in such points as appeared doubtful or uncertain; they have endeavored to classify all as far as possible, for convenience of reference; and with respect to new ones hereinbefore proposed, and the old ones very materially altered, they beg to state that they appear in accordance with the opinions expressed herein; and now call the attention of the Court to the reasons actuating them towards their decision upon the various subjects.

The Committee have endeavored to establish a rule or standard for the guidance of all public officers in their duties, and their demand upon the District for services rendered; and they need not press upon the Court the self-evident conclusion that thereby much discussion, much labor, and fluctuating decisions of the Bench of Magistrates, must in a great measure cease.

They have recommended a graduated scale of Guards or Assistants in the conveyance of Convicts to the Penitentiary, determined the remuneration to those Guards or Assistants, and provided for the obtaining verified accounts of the actual disbursements incurred—all of which were left subject to no fixed rule, and to tedious and odious investigation.

They have recommended that the attendance of the Deputy Sheriff heretofore given at the several Courts be dispensed with, except in certain events particularly specified.

They have adopted a check upon the allowance to Sergeants at Inquests, in requiring them to prove the necessity for their attendance by means of a voucher from the Foreman, as it is evident that in many cases professional evidence is unnecessary.

They have remodelled the Order limiting the number of Constables required to attend the various Courts, and in extension have recommended a check upon their allowance in case of failure in continual attendance at their respective duties—it having been brought to the notice of the Committee, that such Constables have been withdrawn from the Court to perform other services frequently unconnected with the due discharge of their duties there.

They have placed a check upon the employment of an Under Turnkey without proper sanction, which not long since caused some additional expense to the District, and continued for a longer period than (in the opinion of the Committee) was necessary.

That the mode of furnishing the Gaol with Supplies under Contract has been found the most satisfactory; and your Committee have renewed the Orders in relation thereto, with some amendments to ensure performance, and have adopted and ordered a form of Return from the Gaoler, to operate as a check upon the daily allowances to the prisoners, and upon the quarterly claims of the contractors.

They have provided that the extension of the County or District Allowance (so called) to certain persons confined in the Gaol on convictions before Magistrates and not strictly entitled thereto, be hereafter subjected to the discretion of two Justices of the Gaol Committee, and not left to be exercised, as heretofore, without such supervision.

They have guarded against any unauthorized, unnecessary, or extravagant expenditure for Gaol Furniture, by recommending the purchases to be subject to the order of three Justices of the Peace, of whom the Chairman of the Court shall be one, the Committee considering that, as presiding officer at all the Sessions, he becomes more readily cognizant of the nature of the supplies previously obtained; and as the expenditure for that service seems to have become somewhat large, they deem it prudent that the Magistrates be vigilant in the discharge of that portion of their duty.

They have also suggested that the Gaoler do furnish a quarterly inventory of the public personal property in his possession from time to time; and, in connection with this subject, beg to remark that, although much of the property of this description has been furnished under the sanction of the Municipal Council, still, being on account of the Administration of Justice, it may, without any assumption on the part of the Court of Magistrates, be considered also subject to their protection, which is all that either body seeks to gain as public trustees.

The Order heretofore adopted, and now renewed, requiring all claims for mileage and disbursements made by any officer of the District to be verified by affidavit, they find to be consistent with the practice of all the other Courts; and in recommending its renewal, hope that the Court will strictly enforce its provisions on all occasions.

That, in accordance with the spirit of the Statute 7th William IV, Chapter 18, they have adopted an Order that no accounts or claims against the District be audited except at the four Quarterly Courts; as they cannot but view that to be the meaning of the Statute referred to, nor can they anticipate any particular hardship in requiring a strict adherence thereto.

They have renewed the Order relative to the services by the Sheriff and the recognized officers of this Court; and as the policy is to encourage the Constables of the District particularly, in preference to Special Bailiffs, so that fitting persons may generally find it an object to fill that office, they doubt not the Court will feel the justice and advantage of such an Order being continued and acted upon liberally.

That in order to settle, as far as your Committee's opinion can aid in deciding upon such claims, they have concluded upon and adopted an Order to resist, for the future, all demands upon the District funds by any officers where the damages or penalty sought to be recovered are not, or some part thereof, payable into the District treasury, or for some District purposes. The Law clearly contemplates in such cases that the prosecutor pay all the expenses incurred; he must consult the solvency of the defendant, otherwise enormous expenses may be saddled upon the District funds for the benefit of parties seeking individual advantages.

The Licensing system has particularly engaged the attention of your Committee; and in addition to the previously adopted Orders, they have suggested some stringent provisions to meet the spirit of the Statutes. Through the labors of the Committee also, a saving has been made to the District funds, in requiring and authorizing the Clerk of the Peace to demand a fee from each successful applicant for an Innkeeper's

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License, or for a License to retail Ale, Beer, and other liquors not spirituous, for the purpose of defraying the expense of publishing the Inspector's List of Licenses issued as required by law; that being one of the instances in which no portion of the funds realized is paid into the District treasury.

They have also added an order in aid of the Statute, requiring the Rules and Regulations for Innkeepers and Retailers of Ale and Beer, and other liquors not spirituous, to be fixed in some conspicuous place in every bar of the house so licensed, by declaring that such Rules shall continually remain affixed therein.

The Committee have reason to believe that this requisite of the Statute has been in most cases, negligently omitted to be observed, if not wilfully evaded.

The decision of the Court during the last General Licensing day, in adhering to all their previously adopted Orders, in requiring the recommendation of the nearest resident magistrates, the personal attendance of all applicants, and their completing the Recognizances in open Court, seems more in accordance with the various Statutes; and if the Court coincides now with the Committee in their views of the necessity of such personal appearance, they hope the Court will discountenance the former practice.

The first Statute we find requiring the security to be entered into by Innkeepers, is the 33d George III, Chapter 13, which required every person taking out a License, upon receiving such License from the Secretary of the Province, or his agent, to enter into a Bond in the penal sum of Ten Pounds to His Majesty, with sufficient sureties, to keep an orderly and decent house; and that the Clerk of the Peace or other person who should draw out such Bond, should receive and take the sum of Ten Shillings and Six Pence for his trouble.

The Statute 24th George III, Chapter 12, by two Clauses (repealed in 1818,) gave power to the Magistrates of the Division, at their annual meeting in March, to limit the number of Inns, and to grant certificates. The sixth Clause, still in force, requires every person obtaining such certificate, at the same time to enter into such recognizance, as by the 33d George III, Chapter 13, is directed, and that the Clerk of every Division meeting, or other persons employed to draw out such recognizance, shall deliver or transmit the same to the Clerk of the Peace, to be kept among the Records. Upon reference to the last named Statute, it will be seen that the security is given by way of Bond, and not recognizance, and it might hereafter appear upon some prosecution hereunder, that the mode of taking the sureties is not legal, but we leave that to other persons to decide.

By the Statute 59th George III, Chapter 2, the power of granting the certificates is transferred to the Justices in General Quarter Sessions, and upon receiving that certificate, the Inspector is authorized to grant the holder a License, no mention being made of any Bond, or certificate of Recognizance being entered into, which is a condition in the 33d George III, Chapter 13.

Therefore, inasmuch as the Statute 59th George III, Chapter 2, transfers all the powers of the Justices of the Division, to the Justices in General Quarter Sessions, and, (though silent as to any Bond or Recognizance,) enacts that all the rules, restrictions, &c., by any previous acts in force, touching and concerning the applying for, allowing, granting, obtaining, or in any wise relating to the said Licenses, shall be extended to such Licenses under this Act, it appears to us that in reading the latter Act, we must insert the words of the 34th George III, Chapter 12, Section 6, as follows: "That every person obtaining such certificate as aforesaid, shall, at the same time, enter into such recognizance, &c." The same time alludes to the time of getting the certificate, and that such certificate must be obtained in open Court, the second Clause of the Statute 59th George III, Chapter 2, clearly shows. It therefore follows, that the Bond or Recognizance required of Innkeepers, &c., must be entered into in open Court.

Should this expressed opinion be correct, it also follows that other proceedings of the Court are not quite regular—we have suggested forms adapted to our views, which we beg to refer to.

They beg also to call the attention of the Court to the fact, that during the past year a constant succession of applications for Licenses came before the Court, from time to time, most of them arising from the inattention of the parties themselves, and none of them being caused within the recollection of your Committee, by any unexpected necessity for a new Inn, in any part of the District—as the period fixed by the Statute is sufficiently well known to the public. Your Committee strongly approve of the prohibitory orders before adopted being adhered to as rigidly as possible, and they have now renewed them equally (if not more) stringent, in order to avert that which, during the last year, was felt as a growing evil, and a great interference with the other more legitimate business of the several Courts.

Your Committee have adopted some other Orders which, in their opinion, will disclose improvements in many respects, and which will more particularly appear upon reference to them.

Further, your Committee Report, that inasmuch as the Treasurer, by the operation of the 4th & 5th Victoria, Chapter 10, commonly called the Municipal Council Act, has become an officer more particularly responsible to the body created thereby, though still accountable to the Magistrates for the disbursement of sums connected with the Administration of Justice, and for the payment of the sums allowed to the Insane Destitute; they have omitted the established allowance to that officer, for office rent, fuel, and postage, leaving the same for the action of the Municipal Council.

That they have thought advisable to reduce all the standing Salaries and allowances now reported upon, having duly considered the nature and extent of the services required—the circumstances of the District—the present value of cash allowances or Salaries to the receiver, and other matters connected with the offices of several of them.

The Committee have also in the allowances to the Sheriff, and to Constables, made some reduction, in some instances dropping entirely the allowances made for services, or rather supposed services, and in other instances curtailing the charges heretofore established, or partially sanctioned.

That in recommending the several Tariffs of Fees to the Public Officers of the District, they have examined the allowances made in other Districts, equally populous with the District of Niagara, and with a view that all the Public Officers should be liberally, but not extravagantly rewarded for services rendered, and consistent with a desire to economise the expenditure of the District Funds, submit the following Tariff for the District of Niagara, excepting that portion of the Allowances to the Clerk of the Peace, which is in the discretion of the Magistrates, and to become the subject of future investigation, and distinguishing those fees established by Statutes, from those allowed and authorized by Orders of Court.

Your Committee recommend that a Copy of all Rules, Orders, and Tariffs of Fees, adopted by the Court, be furnished to each Justice of the Peace, to the Sheriff, to each Coroner, to each Collector of Customs, to the Treasurer, to the Inspector, to the Warden of the District, and to the Gaoler.

**TARIFF, OR TABLE OF FEES AND ALLOWANCES,**  
**Payable to the several Officers of the District of Niagara, out of the**  
**Funds of the District, under the control of the Magistrates.**

CLERK OF THE PEACE

(Duties Required and Fees Established by Statute.)

No. 1;	33, Geo. 3, chap. 13.	Drawing Bond for Innkeepers, P.....	£ 0 2 6
2;	37, ....	7. " Certificate of Bar of Dower, P.....	5 0
3;	45, ....	2. Certifying notice of claim, Heirs and Devises, &c. P.....	2 6
No. 4;	47, Geo. 3, chap. 11,	Drawing Precept for Quarter Sessions, attending Justice and transmitting to Sheriff,.....	£ 1 0 0
5;	....	Attending each Quarter Sessions,.....	1 10 0
6;	....	Making up the Records of each Session,.....	2 10 0
7;	....	Notice of every appointment,.....	1 0
8;	....	List of Jurors, every 100 names,.....	2 6
9;	....	Making up Estreats of each Session, and transmitting the same to Inspector General,.....	5 0
10;	....	Every Subpoena,.....	2 6
11;	....	Every Bench Warrant,.....	5 0
12;	....	Drawing Indictment,.....	10 0
13;	....	Every Recognizance of the Peace, or Good Behaviour, (to be paid by the party.) P.....	5 0
14;	....	For discharging the same, P.....	2 6
15;	....	Allowance of Certiorari, (to be paid by person applying.) P.....	5 0
16;	48, ....	13, Making annual List of Special Jurors for Sheriff,.....	5 0
17;	50, ....	10, Certificate of Bar of Dower, (same as 37, Geo. 3, c. 7.) P.....	
18;	56, ....	3, Transmitting a certified copy of Inspectors' Lists of Still, Shop, and Tavern Licenses to Inspector General,.....	2 0 0
19;	59, ....	7, *Making and transmitting to Governor, aggregate amount of Assessments, annually,.....	1 10 0
20;	....	*Making, apportioning, and transmitting Rolls to Collectors,.....	1 10 0
[*These services must now be rendered by Clerk of Mun. Council.]			
21;	2, Geo. 4, chap. 14,	Drawing Certificate, Bar of Real Estate, P.....	5 0
22;	4, ....	7, Making and transmitting to Government Office, general return of the Population of the District,.....	1 0 0
[This service is now performed by Assessor and Warden, under 4 & 5, Vic. 42.]			
23;	6, ....	7, Making out Writ to levy Assessments in arrear by sale of lands, ..	10 0
24;	1, Will. 4, chap. 1,	Drawing License to Ministers to celebrate ceremony of marriage, P,	5 0
25;	....	Receiving certified annual return of celebration of marriage, (payable by Minister.) P.....	2 6
26;	....	Giving certified copy of Register of Marriages, P.....	2 0
27;	1, Victoria, chap. 21,	Fee for searching papers or returns of Township Clerks,.....	1 3
[The deposit of papers being now in the office of the Clerk of the Council, their By-Laws must regulate.]			
28;	4 & 5, ....	12, Making Schedule of Convictions for District Newspaper—for affixing in Court House—and in the Office of the Clerk of the Peace, respectively—each,.....	1 0 0

NOTE.—P, at the end of any line, signifies that the Party applying pays the charge allowed to the officer.



SHERIFF.

For attending Assizes, Oyer and Terminer, &c., per day,.....	£	12
.. General Quarter Sessions, and District Court, per day,.....		10 0
.. Summoning Juries for Assizes, Oyer and Terminer, and General Quarter Sessions, including District Court, for all the Courts, on each occasion,.....	6	0 0
.. Making Quarterly Returns of State of Gaol to the Government Office, each quarter,.....	1	0 0
.. Attending conveyance of Prisoners under sentence to the Penitentiary, per day, when the Sheriff proceeds in person, including personal expences, except passage,.....	1	5 0
.. The same services, if discharged by the Deputy Sheriff,.....		15 0
.. Guards or Assistants in conveying Prisoners to the Penitentiary, when necessarily employed, for every day of twenty-four hours, per day,.....	10	0
.. All necessary disbursements for passage money, conveyances, meals, &c., to assistants or Prisoners,.....		5 0
.. Executing warrants against the person or property,.....		1 3
.. Serving Subpoenas, each person,.....		6
.. Necessary travel to serve any process or subpoena to the place of service, per mile,.....		10 0
.. Advertising Courts of Assize, &c., or General Quarter Sessions of the Peace, each,.....		5 0
.. Making Calendar for Assizes, &c., or Quarter Sessions, each,.....		7 6
6th, Geo. 4, chap. 7.		3 0 0
.. Every Sale of Lands for Taxes, under writ issued from the Clerk of the Peace,.....		
.. Poundage on proceeds of Sale, per £100,.....		

DEPUTY SHERIFF.

For attending Assizes, Oyer and Terminer, General Quarter Sessions, and District Court, when the High Sheriff may be sick or be unavoidably absent, per day,.....	£	0 10 0
.. Other services, the same as High Sheriff, except where otherwise specified,.....		

CORONERS.

No. 1, For Issuing Precept to Constable,.....	£	0 2 6
2, " Impanneling and swearing Jury,.....		2 6
3, " Summons for witness, (one embracing all names),.....		1 3
4, " Necessary travel to Inquest, (per mile going),.....		6
5, " Swearing every witness and taking examination,.....		1 0
6, " Holding Inquest,.....		1 0 0
7, " Filing Inquisition and Return,.....		5 0
8, " Allowance to Surgeon on post mortem examination, when required by the Jury through their Foreman,.....		1 0 0
9, " Milage to Surgeon, necessary travel thereto, per mile,.....		6
10, " Allowance for digging grave and inhuming body,.....		5 0
11, " " Coffin, (not exceeding),.....		7 6

[The Coroner should cause the Jury to find whether or no the deceased person had personal property.]

GAOL PHYSICIAN.

An annual Salary, (including Medicines,) of.....	£	40 0 0
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CRIER.

An annual Salary of.....	£	16 0 0
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GAOLER.

An annual Salary, of.....	£	125 0 0
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TURNKEY.

An annual Salary, to one only, of.....	£	40 0 0
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HIGH CONSTABLE.

For Attending Courts of Assize, &c., or Courts of Quarter Sessions, per day,.....	£	0 7 6
.. Other services the same as other Constables,.....		

CONSTABLES.

No. 1, For arrest under warrant for Felony, misdemeanor, trespass, or other charge,.....	£	5 0
2, " Searching for Goods under Warrant, when not found,.....		3 9
3, " Conveying the Goods and person, when found, to the Justice, when the weight exceeds 20 lbs., and within one mile,.....		1 3
4, " The same service when the distance exceeds one mile, including milage in going to arrest, per mile,.....		1 0
5, " Every assistant, when ordered by a Justice, for every day necessarily employed,....		5 0
6, " Taking prisoner to the Justice for further examination, when the distance does not exceed one mile,.....		2 6

7,	"	Keeping prisoner for further examination, (including subsistence to him,) per day, £ 0 7 6	
8,	"	Milage for bringing up Prisoner for further examination, when the distance exceeds one mile, each mile above,.....	6
9,	"	Conveying a Prisoner to Gaol, all expenses included, travelling thereto per mile,....	1 0
10,	"	The same service when more than one Prisoner, an allowance for each additional one per mile of,.....	4
11,	"	Every assistant when ordered by a Justice, per day,.....	5 0
12,	"	Serving Subpnas in Civil Cases, or upon Inquests, exclusive of milage,.....	6
13,	"	Milage upon process executed or served in criminal and other cases, to the place of service, when over one mile, per mile,.....	4
14,	"	Serving any Summons of a Justice of the Peace, under summary punishment (or other Acts, where fees not provided for, when the distance is within one mile of the Justice's house,.....	2 6
15,	"	Serving Subpnas under the same Acts,.....	6
16,	"	Attending at Trial before Justice (if required), at the rate per day of,.....	5 0
17,	"	Milage on serving Summons or Subpnas, or executing Distress Warrant, in travelling to the place of service, when over one mile, per mile, the sum of,.....	4
18,	"	Detaining goods under Justice's Warrant,.....	3 9
19,	"	Taking charge of or removing goods, the actual disbursements,.....	1 0
20,	"	Selling and making return of final process, per £,.....	1 0
21,	"	Attending Courts of Oyer and Terminer, or Nisi Prius, General Quarter Sessions, or District Court, per day,.....	5 0
22,	"	Summoning Jury, upon Coroner's precept, each Jury,.....	5 0

(NOTE.—Constables are not to expect to be paid from the District Treasury, any Fees for services, where the Justice proceeds summarily, under any Law or Statute authorizing one or more to try and convict, except under Statutes for offences against the person, or where the proceeds, or part are paid to the District. Nor in cases of Informations on the complaint of Inspectors of Licenses, or Collectors of Customs, &c.)

Your Committee lastly recommend, that all the permanent Orders adopted by the Court, together with the Tariff of Fees, be published in Pamphlet Form, for the use of the Magistrates, and other officers connected with the administration of Justice, under the superintendance of a Committee, to be appointed for that purpose.

*Dated at Niagara, this second day of January, 1844.*

Signed,	WALTER H. DICKSON,	ROBERT HOBSON,
	JACOB KEEFER,	JOHN C. BALL,
	DUNCAN McFARLAND,	R. M. LONG,
	WILLIAM M. BALL,	E. C. CAMPBELL.
	T. BUTLER,	<i>Committee.</i>

## SECOND REPORT

### Of the Committee upon Orders of Court, and Tariff, &c. To the Magistrates of the District of Niagara, in General Quarter Sessions Assembled.

The Committee to whom was again referred the consideration and examination of the Orders of Court, and Tariff of Fees, by virtue of the following Order of Court, made in General Quarter Sessions, to wit:

*Ordered*—That Thomas Butler, Walter H. Dickson, Jacob Keefer, Duncan McFarland, Robert Hobson, John C. Ball, Ralph M. Long, William M. Ball, Esquires, and the Chairman, be re-appointed a Committee upon the Tariff of Fees and Allowances of the Clerk of the Peace, and upon the Orders of Court—Rules and Regulations connected with the Niagara Market—the Niagara Police—the Gaol Allowances and expenses, and the Rules and Regulations for Innkeepers, and giving power to said Committee to reconsider the same Tariff of Fees and Allowances to the Sheriff, and other officers of this Court, provided for in the Report adopted this day, if brought under its notice, including the question relating to Ferries.

*In Sessions, 3d January, 1844.*

Be it leave to Report that they assembled together according to appointment, at the Office of the Clerk of the Peace, on the Thirteenth and Twentieth days of February last, and having received, read, and duly weighed the arguments contained in the various written Communications of the Public Officers, affected by the Orders and Tariffs reported to, and established and passed during the last General Quarter Sessions of the Peace, they cannot recommend any other alteration or deviation than is hereafter submitted.

The nature and extent of the duties imposed upon the several officers, is very particularly detailed and enlarged upon, in the written Communications above referred to, and your Committee is sensible of the labors

and responsibility attending the discharge of those duties; but from the precedents and information obtained to guide in the decision, is still of the opinion that the items of remuneration remaining or decided upon heretofore, are reasonable and ample to meet the service required.

The Committee recommend that the Salary of the Crier of the Court be Re-established at £20 per annum, payable quarterly, and that the Order number twelve, be amended in that report.

Also, that the Order number twelve, in relation to the Gaoler's Salary, be amended, and that such Salary be fixed at the sum of One Hundred and Sixty-Five Pounds per annum, payable quarterly, including the allowance for a Turnkey; but at the same time making it imperative upon the Gaoler to employ such an officer, and one trusty and well qualified.

The Committee further report, that for weighty considerations, not necessary to be at present publicly explained, it abstained entering upon that portion of the duties assigned, (but which will become the subject of discussion upon some future occasion,) relative to the Salary and Fees of the Clerk of the Peace; and suggest that the objects sought to be attained by the Order of Court, appointing the Committee, be still kept in view, and a new Committee to be appointed permanently, with power over the same subjects, and to report from time to time until the Order become fulfilled.

The Communications above alluded to, are hereunto annexed, for such reference as may by the Court be desired.

*Dated this 2d April, 1844.*

Signed,

JACOB KEEFER,  
ROBERT HOBSON,  
R. M. LONG,

WM. M. BALL,  
DUNCAN McFARLAND,  
EDWARD C. CAMPBELL.

*Erratum.*—On page 3d, 9th line under the head "General Orders," for *Receipt* read *Precept*.

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