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No. 111.

1st Session, 7th Parliament, 25 Victoria, 1862.

BILL.

An Act to Amend the Law in relation to
Law Costs in Her Majesty's Courts of
Common Law and Chancery in Upper
Canada.

Received and read, first time, Wednesday,
30th April, 1862.

Second reading, Monday, 5th May, 1862.

Mr. SCATCHERD.

QUEBEC:

PRINTED FOR THE CONTRACTORS BY HUNTER,
ROSE & LEMIEUX, ST. URSULE STREET.

An Act to amend the Law in relation to Law Costs in the Courts of Common Law and Chancery in Upper Canada.

WHEREAS the costs now allowed by law in actions and proceedings in Her Majesty's Courts of Common Law and Chancery in Upper Canada are exorbitant and oppressive, and it is expedient that the law in relation thereto should be amended so as to provide a tariff of costs less oppressive and better suited to the circumstances of the inhabitants of a new country; Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

POWERS TO COUNTY JUDGES IN SUITS IN SUPERIOR COURTS, U. C.

10 **1.** In suits in either of the Superior Courts of Common Law, the judge or acting judge of the County Court for the county in which the suit has been brought, or the venue laid, may, on application in such suit, grant a summons and order for the examination of a judgment debtor under the provisions of the two hundred and eighty-seventh section of the Common
15 Law Procedure Act, before the judge of the County Court of the County wherein such debtor shall be resident, or before any other person to be specially named, and such Judge or acting judge may grant an order for the attachment of debts under the provisions of the two hundred and eighty-eighth section of the Common Law Procedure Act;
20 and in suits within the meaning of this section all the proceedings against garnishees provided for in the Common Law Procedure Act may be had and taken before such judge or acting judge in the same manner and to the same extent and effect as if such proceedings were taken before either of the said Superior Courts or any judge thereof.

25 **2.** In suits in either of the Superior Courts of Common Law, the judge or acting judge of the County Court for the County in which the suit has been brought or the venue laid, may, upon the application of the plaintiff or defendant, grant leave to either party to plead and demur to the same pleading at the same time, and to plead or reply several matters
30 under the provisions of the one hundred and ninth and one hundred and tenth sections of the Common Law Procedure Act.

3. In suits in either of the Superior Courts of Common Law, the judge or acting judge of the County Court of the County in which the suit has been brought or the venue laid, may grant a summons and order
35 for the examination of a judgment debtor and for the committal of such debtor under the provisions of section forty-one, chapter forty-four, of the Consolidated Statutes for Upper Canada, intituled, "An Act respecting arrest and imprisonment for debt," and every such judge or acting judge in suits within the meaning of this section and of the said section
40 forty-one, shall have the same power and authority in all respects as the judge referred to in the said forty-first section of the aforesaid in part recited Act.

4. The provisions of sections one, two and three shall not apply to any suit wherein the venue is laid in the County of York, and either party interested may appeal from any such decision or order to the Court in which the action is pending, or to a judge of one of the Superior Courts at Chambers, and such Court or judge may affirm, reverse or modify such decision or order, or make such other order upon the subject matter of appeal and the proceedings had therein and with or without costs as to such Court or judge seems meet. 5

5. Whenever in any action upon any written instrument under seal or without seal, the execution thereof shall be denied by pleading, the plaintiff shall not be put to the proof of the execution of the instrument or the handwriting of the defendant, unless the defendant or some one in his behalf shall file and serve a copy of an affidavit of the truth of the plea; and such affidavit shall be filed by the defendant with the plea and a copy served with the plea, and the plaintiff shall annex a copy of such affidavit to the Record entered for trial, and this section shall apply in actions brought against endorsers as well as other parties to Bills of Exchange and Promissory Notes. 15

TAXATION OF SHERIFFS' COSTS.

6. Upon the settlement of an execution either in whole or in part by payment, levy or otherwise, the sheriff or officer claiming any fees, poundage, incidental expenses or remuneration which shall not have been taxed, shall upon being required by either plaintiff or defendant or the attorney of either party, and on payment or tender of the expenses of such taxation (one shilling and nine pence), have his fees, poundage, incidental expenses or remuneration as the case may be taxed by the Deputy Clerk of the Crown of the County wherein such sheriff shall keep his office. 25

TAXATION OF ATTORNEYS' AND SOLICITORS' COSTS.

7. Upon the settlement of any suit in Her Majesty's Courts of Common Law or Chancery, either in whole or in part, the attorney or solicitor claiming any fees or costs which shall not have been taxed, shall, upon being required by the defendant or plaintiff or the attorney or solicitor of either party, and on payment or tender of the expenses of such taxation (one shilling and nine pence), have his fees or costs taxed by the usual taxing officer in the County in which the suit has been brought or the venue laid and of the Court in which the suit may be pending. 30

COSTS NOT TO BE COLLECTED UNTIL TAXED.

8. No Sheriff, Attorney or Solicitor shall collect any fees, costs, poundage, or incidental expenses after having been required as aforesaid to have the same taxed, without such taxation having been made.

COSTS OF SALE OF LANDS UNDER POWER OF SALE CONTAINED IN A MORTGAGE, TO BE TAXED.

9. The costs and expenses of a sale of any land under a power of sale contained in any mortgage, shall be taxed by the Deputy Clerk of the Crown or other taxing officer of the County wherein such lands shall be situated, or of the county wherein such mortgage was executed, upon the requisition of the mortgagor or any subsequent mortgagee, or of any party liable to pay the same or having any lien or claim on the mortgaged premises, or of the attorney of any such mortgagor, mortgagee or party, and upon payment or tender of the expenses of such taxation (one shilling and nine pence.) 50

DUTY OF TAXING OFFICERS.

10. It shall be the duty of every taxing officer referred to in this Act to tax the bills and costs presented to him for taxation as herein required, upon payment or tender of his fees, and to give when requested 5 a certificate of such taxation and the amount thereof.

11. It shall be the duty of every taxing officer authorised to tax costs, to examine the bills presented to him for taxation, whether such taxation be opposed or not, and to be satisfied that the items charged in such bill are correct and legal, and to strike out all charges for services which in 10 his opinion were not necessary to be performed.

JUDGE PRESIDING IN DIVISION COURT MAY ORDER BILL OF COSTS TO BE TAXED.

12. The Judge presiding in any Division Court may, if he thinks proper, in any suit pending before him in the said Court to recover the 15 amount of an Attorney's or Solicitor's bill of costs, order the same to be taxed by the usual taxing officer in the County wherein such Division Court shall be holden and of the Court mentioned in such bill.

TAXATION OF COSTS AFTER DELIVERY OF BILL.

13. Whenever an Attorney or Solicitor delivers his bill of costs according to law, the person liable to pay the same may at any time before 20 payment give the Attorney or Solicitor delivering such bill, or the executor or administrator of such Attorney or Solicitor, notice in writing to have such bill of costs taxed by the usual taxing officer of the Court in the County where such Attorney or Solicitor or their representatives 25 then reside, and of the Court mentioned in such bill of costs.

14. It shall be the duty of the taxing officer, upon the production to him of the said notice requiring such taxation with an affidavit or personal service thereof, forthwith to make an appointment under his hand to tax such costs, and thereupon after service of such appointment on the 30 opposite party, to proceed with the taxation according to the terms of such appointment, and such taxation may be postponed and continued as may be considered necessary until completed, when a certificate of the amount of such taxation shall be given by the taxing officer to either party requiring the same.

35

RETAINERS.

15. No retainer shall be allowed or taxed in any bill of costs; and it shall be the duty of the judge presiding at the trial of any cause wherein such change is made, to disallow the same, whether such action is contested or not.

40 SECTIONS OF THE COMMON LAW PROCEDURE ACT REPEALED.

16. The three hundred and thirty-second section and the fourth sub-section of the three hundred and thirty-third section of the Common Law Procedure Act, are hereby repealed.

17. The judges of the Superior Courts of Common Law shall not, 45 under the sixth sub-section of the three hundred and thirty-third section

of the Common Law Procedure Act, increase the allowance of costs in the said Courts.

THE POWER OF THE COURT OF CHANCERY TO FIX THE AMOUNT OF COSTS IN THE SAID COURT REPEALED.

18. The power conferred on the Court of Chancery by the seventy-fifth section of the Act relating to the Court of Chancery, chapter twelve of the Consolidated Statutes for Upper Canada, to regulate the allowance and amount of costs in the said Court, is hereby repealed. 5

FEE FUND.

19. The thirtieth section of an Act intituled "An Act respecting County Courts," chapter fifteen of the Consolidated Statutes for Upper Canada, is hereby repealed, and the fees mentioned in the schedule subjoined to the said section are abolished, except in so far as the like fees may be provided for in this Act.

20. The seventy-third section of an Act intituled "An Act relating to the Court of Chancery," chapter twelve of the Consolidated Statutes for Upper Canada, is hereby repealed, also the sixth section of an Act intituled "An Act respecting the Law Society of Upper Canada," chapter thirty-three of the Consolidated Statutes for Upper Canada, is hereby repealed, in so far only as the same relates to sums payable on proceedings in the Queen's Bench, Common Pleas, Practice Court, and Court of Chancery, and the fees mentioned in the schedule subjoined to the said sixth section and payable in respect of proceedings in the aforesaid Courts, are abolished except in so far as the like fees may be provided for in this Act. 25

TABLE OF COSTS IN FORCE IN THE SUPERIOR COURTS OF COMMON LAW AND IN THE COUNTY COURT ANNULLED, AND A NEW TABLE OF COSTS ENACTED FOR THE SAID COURTS.

21. The table of costs framed by the judges of the Superior Courts of Common Law, in the year of our Lord one thousand eight hundred and fifty-six under the provisions of the Common Law Procedure Act; also the table of costs framed by the judges of the Superior Courts of Common Law at Toronto, in the year of our Lord one thousand eight hundred and fifty-seven, in pursuance of the County Courts Amendment Act, 1857, are hereby repealed and annulled; and also every other table of costs, and every order for the allowance of costs now in force in said Courts or in the County Courts, are hereby declared to be void. 35

22. The table of costs set forth in schedule A in this Act shall, from and after the passing of this Act, be the general allowance of costs for plaintiffs and defendants as well between Attorney and client as between party and party, in suits and proceedings in Her Majesty's Courts of Queen's Bench, Common Pleas and in the County Courts, and no other or greater costs shall be allowed in the said Courts than are contained in the said schedule A.

TABLE OF COSTS.

45

Explanation.

1st Column shews the present allowance of costs in the Queen's Bench and Common Pleas.

2nd Column shows the costs proposed by this Act to be allowed in the Queen's Bench and Common Pleas.

3rd Column shows the present allowance of costs in the County Courts.

4th Column shows the costs proposed by this Act to be allowed in the County Courts.

TO THE ATTORNEY.	1st Column.	2nd Column. Schedule A.	3rd. Column.	4th. Column. Schedule A
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Writs.				
Summons, including attendance.....	0 10 0	0 7 6	0 5 0	0 3 9
Concurrent Summons.....	0 7 6	0 6 0	0 3 9	0 3 0
Renewal Summons.....	0 7 6	0 6 0	0 3 9	0 3 0
Capias.....	0 10 0	0 7 6	0 5 0	0 3 9
Concurrent Capias.....	0 7 6	0 6 0	0 3 9	0 3 0
Renewal Capias.....	0 7 6	0 6 0	0 3 9	0 3 0
Capias ad satisfaciendum.....	0 10 0	0 7 6	0 5 0	0 3 9
Renewed Capias ad satisfaciendum.....	7 6	0 6 0	0 3 9	0 3 0
Capias ad satisfaciendum for the residue.....	0 10 0	0 7 6	0 5 0	0 3 9
Renewed do do.....	0 7 6	0 6 0	0 3 9	0 3 0
Fieri Facias.....	0 10 0	0 7 6	0 5 0	0 3 9
Renewed Fieri Facias.....	0 7 6	0 6 0	0 3 9	0 3 0
Concurrent Fieri Facias.....	0 7 6	0 6 0	0 3 9	0 3 0
Fieri Facias for the residue.....	0 10 0	0 7 6	0 5 0	0 3 9
Renewed do do.....	0 7 6	0 6 0	0 3 9	0 3 0
Habere Facias possessionem and Fieri Facias, or Capias ad satisfaciendum for costs in one writ.	0 15 0	0 10 0		
Habere Facias possessionem alone.....	0 10 0	0 7 6		
Special endorsement of demand on writ of Sum- mons.....	0 5 0	0 3 9	0 3 9	0 3 0
Writ of Revivor.....	0 10 0	0 7 6	0 5 0	0 3 9
Ejectment (Summons in).....	0 10 0	0 7 6		
Subpœna ad testificandum.....	0 5 0	0 3 9	0 2 6	0 2 0
Subpœna duces tecum.....	0 6 3	0 4 9	0 3 9	0 3 0
and if above four folios, additional per folio....	0 0 6	0 0 4	0 0 6	0 0 3
Attachment against Goods of absconding debtor.	0 10 0	0 7 6	0 5 0	0 3 9
Attachment against Garnishee.....	0 10 0	0 7 6	0 5 0	0 3 9
Habeas Corpus obtained by plaintiff, including al- lowance thereof.....	0 10 0	0 7 6		
Procedendo.....	0 10 0	0 7 6		
Venditioni exponas.....	0 10 0	0 7 6	0 5 0	0 3 9
Supersedeas.....	0 6 3	0 4 9	0 3 0	0 2 3
Mandamus.....	0 10 0	0 7 6		
Injunction.....	0 10 0	0 7 6		
All other writs necessary.....			0 5 0	0 3 9
Note—The above allowances include all charges for attendance for the writ, and delivering it to the officer.				
Copy and service of writs of summons and other process, for each copy, including copies of all notices required to be endorsed.....	0 5 0	0 3 9	0 2 6	0 2 0
For each copy of Writ of Subpœna.....	0 5 0	0 2 0	0 2 6	0 1 3
Service of each copy of writ, if not done by the Sheriff, or an officer employed by him, when taxable to the Attorney.....	0 2 6	0 2 0	0 1 3	0 1 0
Mileage per mile for the distance actually and necessarily travelled.....	0 0 6	0 0 6	0 0 6	0 0 6
INSTRUCTIONS.				
Taking instructions to sue or defend.....	0 10 0	0 7 6	0 5 0	0 3 9
INSTRUCTIONS FOR PLEADING.				
Instructions for special Affidavits, when allowed by the Master and instructing Counsel in special matters.....	0 5 0	0 2 6	0 2 6	0 1 6

TO THE ATTORNEY.	1st	2nd	3rd	4th
	Column.	Column. A.	Column.	Column. Schedule A.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Instruction to Counsel in common matters.....	0 2 6	.....	0 1 3	
<i>Nota</i> —No Fee allowed for instructions to Counsel, where such Counsel is Attorney in the suit, or his partner.				
Instructions for Brief.....	0 5 0	0 3 9	0 2 6	0 2 0
Do if difficult and many witnesses or documents, the taxing officer on sight of the Brief may allow	0 10 0	0 5 0		
Instructions for every suggestion.....	0 5 0	.....	0 2 6	
Do for issue of fact by consent.....	0 7 6	0 6 0	0 3 9	0 3 0
Do for suggestion to revive, or for writ of Revivor, when no Rule necessary....	0 5 0	0 3 9	0 2 6	0 2 0
Do for rule for writ of Revivor when necessary	0 5 0	0 3 9	0 2 6	0 2 0
Do to defend for Executor after suggestion of death of original defendant.....	0 5 0	0 3 9	0 2 6	0 2 0
Do for agreement of damages.....	0 5 0	0 3 9	0 2 6	0 2 0
Do for confession of action in ejectment as to the whole or in part	0 5 0	0 3 9		
Do to strike or reduce a special Jury....	0 10 0	0 7 6		
DRAWING PLEADINGS, ETC.				
Declarations inclusive of instructions and engrossing, and of attendance to file and serve, but not inclusive of copies to serve.....	0 12 6	0 7 6	0 6 3	0 5 0
If above ten folios, for every folio above ten in addition	0 1 0	0 0 6	0 1 0	0 0 6
One or more Pleas, if three folios or under, exclusive of instructions, but inclusive of Engrossing, and copies to serve.....	0 5 0	0 3 9	0 2 6	0 2 0
If above three folios, for every folio in addition, exclusive of copy to serve	0 1 0	0 0 6	0 1 0	0 0 6
Joinder of issue, inclusive of copies and Engrossing.....	0 2 6	0 2 0	0 1 3	0 1 0
Demurrer, inclusive of engrossing and copies to serve	0 5 0	0 3 9	0 2 6	0 2 0
Joinder of Demurrer, inclusive of copies and engrossing.....	0 2 6	0 2 0	0 1 3	0 1 0
Marginal statement of matters of Law for argument, exclusive of copies for the Judges.....	0 5 0	0 3 9	0 2 6	0 2 0
Replications, new assignments, and other Pleadings, the same as the foregoing charges for Pleas, Postea, including engrossing.....	0 5 0	0 2 0	0 2 6	0 2 0
Judgment, whether by default or final.....	0 2 6	0 2 0	0 2 6	0 2 0
Authority to receive monies out of Court.....	0 2 6	0 2 0	0 1 3	0 2 0
Suggestions—Pleas to suggestions and subsequent Pleadings, if three folios or under, inclusive of engrossment and copies.....	0 4 0	0 3 0	0 2 0	0 1 6
If above three folios, for every folio drawing and engrossing	0 1 0	0 0 6	0 1 0	0 0 6
Issue for the trial of facts by agreement, for every folio	0 1 0	0 0 6	0 1 0	0 0 6
Special case, per folio	0 1 0	0 0 6	0 1 0	0 0 6
Drawing interrogatories or answers for any purpose required by law, including engrossing per folio.....	0 1 0	0 0 6	0 1 0	0 0 6
Agreement of Damages and copy, if five folios or under	0 5 0	0 3 9	0 2 6	0 2 0
Above five folios, for every folio drawing and engrossing.....	0 1 0	0 0 6	0 1 0	0 0 6
Copy per folio	0 0 6	0 0 6		
Special particulars of demand and set off, including copy per folio	0 1 0	0 0 6	0 1 0	0 0 6
Short ditto and copy.....	0 3 6	0 2 6	0 2 6	0 1 3
Bill of costs and copy for taxation.....	0 5 0	0 2 6	0 2 6	0 2 0

TO THE ATTORNEY.	1st Column.	2nd Column. Schedule A.	3rd Column.	4th Column. Schedule A.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Copy for the opposite party.....	0 2 6	0 1 3	0 1 3	0 1 0
Taking cognovit and entering judgment thereon, where there have been no previous proceedings, and the true debt does not exceed £50	3 0 0	1 0 0	2 0 0	1 0 0
For the same services when the true debt exceeds £50	3 0 0	1 10 0		
Drawing and engrossing cognovit and attending execution where there have been previous pro- ceedings	0 5 0	0 2 6	0 2 6	0 2 0
Replication accepting money out of Court in full of demands, inclusive of instruction	0 3 6	0 2 6	0 2 6	0 2 0
Drawing bond in appeal.			0 10 0	0 5 0
In all the above items engrossing included, un- less separately allowed for.				
COPIES.				
Declarations, when not exceeding ten folios.....	0 6 3	0 3 9	0 3 9	0 2 6
do above ten folios, [per folio].....	0 0 6	0 0 6	0 0 6	0 0 6
Other pleadings before enumerated, above three folios, per folio	0 0 6	0 0 6	0 0 6	0 0 6
Issue (Pleadings) if fifteen folios, or under	0 7 6	0 5 0	0 5 0	0 3 9
If above fifteen folios, for every folio.....	0 0 6	0 0 6	0 0 6	0 0 6
All Proceedings, Interrogatories, Answers, and other papers of which copies are to be delivered, per folio.....	0 0 6	0 0 6	0 0 6	0 0 6
Judgment for non-appearance on specially en- dorsed Writs or Writs of Revivor and in Eject- ment to be taken as nine folios, including the Writ.				
NOTICES.				
To declare reply and subsequent pleadings, copy and services	0 2 6	0 1 3	0 1 3	0 1 0
By defendant, to bring issue to trial, copy and service	0 3 6	0 2 6	0 2 6	0 2 0
To Executor or Administrator of sole defendant, deceased, to appear to writ and suggestions....	0 3 6	0 2 6	0 2 6	0 2 0
Of appearances, when appearance duly entered and notice given on the day of appearance, but not otherwise	0 2 6	0 1 3	0 1 3	0 1 0
Of appearance to Writ of Revivor	0 2 6	0 1 3	0 1 3	0 1 0
To plead	0 2 6	0 1 3	0 1 3	0 1 0
Of declaration, when necessary, copy and service .	0 2 6	0 1 3	0 1 3	0 1 0
Of objection, for misjoinder or nonjoinder of plain- tiff, copy and service	0 2 6	0 2 0	0 1 3	0 1 0
To Sheriff, to discharge a prisoner out of custody, copy and service	0 3 6	0 2 0	0 2 6	0 1 3
Notice in ejectment to defend for part of the premi- ses, and services	0 5 0	0 2 6		
Notice of claimant's or defendant's title	0 5 0	0 2 6		
If above three folios, for every folio additional...	0 1 0	0 0 6		
Notice of admission of right and denial of orders by a joint tenant, &c., and service.....	0 3 6	0 2 6		
If above three folios, for every folio	0 1 0	0 0 6		
Of discontinuance by claimant in ejectment, and service	0 3 6	0 2 0		
Of confession of action of ejectment as to the whole or part, and service	0 5 0	0 2 6		
Of trial and assessment, copy and service.....	0 3 6	0 2 0	0 2 6	0 1 3
Demand of residence of plaintiff, and all other com- mon notices, copy and service	0 2 6	0 1 3	0 1 3	0 1 0
To admit or produce, if not exceeding two folios, copy and service.....	0 2 6	0 1 3	0 2 6	0 1 3
For each folio above two.....	0 1 0	0 0 6		
NOTE. —Copy and service included in the above items when not otherwise expressed.				

TO THE ATTORNEY.	1st Column.	2nd Column. Schedule A.	3rd Column.	4th Column Schedule A.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
COPY AND SERVICE.				
Of special and common rule	0 3 9	0 2 6	0 2 0	0 1 0
Of special rule—above three folios, per folio, additional	0 1 0	0 0 6	.....	0 0 6
Of summons or order of a Judge	0 2 6	0 1 3	0 1 3	0 1 0
Of order to charge a prisoner in execution	0 3 6	0 2 6	0 2 6	0 1 3
Mileage on service as on a Writ of Summons.				
INJUNCTION.				
Instructions to sue and examine deeds, as in other cases.				
If title contested	1 0 0			
ATTENDANCES.				
Attendances at Judge's chambers, at the Crown offices, at the Clerk's office, and all other common attendances in the course of a cause	0 2 6	0 1 0	0 1 3	0 1 0
Fee on every Record, Writ of Trial or Enquiry	0 5 0	0 2 6	0 2 6	0 1 3
Fee on every rule of Court or Judge's order	0 5 0	0 2 6	0 2 6	0 1 2
Attending assizes or sittings of the Court for the trial of issues in fact, if cause entered where no fee is charged by the attorney as counsel	0 5 0	0 2 6	0 2 6	0 1 3
Attending on Master or Clerk on special matters	0 5 0	0 2 6	0 2 6	0 1 3
For every hour after the first	0 5 0	0 2 0	0 2 0	0 1 2
Taxation of costs on postea	0 5 0	0 2 6	0 2 6	0 1 2
Of costs of cause otherwise than as postea	0 2 6	0 1 0	0 1 3	0 1 0
Of interlocutory matters	0 2 6	0 1 0	0 1 3	0 1 0
BRIEFS.				
For drawing, per folio, of original and necessary matters	0 1 0	0 0 4		
Copies of pleadings or documents, when required, per folio	0 0 6	0 0 3	0 0 6	0 0 3
Copy for second counsel where fee taxed to him, per folio	0 0 6	0 0 3		
For drawing, in the County Court, of original matter			0 5 0	0 2 6
TERM FEES.				
Term fees, after declaration filed	0 5 0		0 2 6	
Every necessary letter on the business of the cause	0 2 6	0 1 3	0 1 3	0 1 0
AFFIDAVITS.				
Drawing special affidavits, per folio, including engrossing	0 1 0	0 0 6	0 1 0	0 0 6
Copies of affidavits, when necessary, per folio	0 0 6	0 0 3	0 0 6	0 0 3
Common affidavits of five folios or under, including copy and oath	0 5 0	0 2 6	0 3 6	0 2 0
DEFENDANTS.				
Drawing bail piece			0 4 0	0 3 0
Entering appearance	0 3 6	0 2 6	0 2 6	0 1 3
For each additional defendant	0 1 3	0 0 6	0 0 6	0 0 6
NOTE.—A second summons and order for time to plead shall be allowed in special cases, when necessary.				
COUNSEL FEES.				
Fee on motion of course, or on motion for rule nisi, or on motion to make rule absolute in matters not special	0 10 0	0 5 0	0 5 0	0 2 6
On special motion for rule nisi (only one counsel fee to be taxed)	1 5 0	0 15 0	0 10 0	0 5 0
To attend reference to Master or Clerk where counsel necessary	1 5 0	0 10 0	0 10 0	0 5 0

TO THE ATTORNEY.	1st	2nd	3rd	4th
	Column.	Column. Schedule A.	Column.	Column. Schedule A.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
For argument on supporting or opposing rule on return of rule nisi, or argument of demurrer, special case or appeal	2 10 0	1 10 0	1 5 0	0 15 0
Fee, with brief, on assessment	1 5 0	0 10 0	0 10 0	0 5 0
Fee, with brief, at trial in actions of a special and important nature (in the County Court) .....	.....	.....	1 10 0	1 10 0
Norm.—To be increased by the Judge to such sum as shall appear to him proper, under the circumstances, not exceeding .....	.....	.....	3 10 0	
The above note only applies to the County Court.				
Fee, with brief, at trial in cases of tort, or in ejectment	2 10 0	2 10 0		
or in matters of contract where the sum to be recovered exceeds £100, to be increased by the Master, in his discretion, to a sum not exceeding in actions of a special and important nature; or by a Judge, to such sum as shall appear to him proper under the circumstances of the case, not exceeding, in any case	5 0 0			
Fee, with brief, in other cases	20 0 0			
do in Queen's Bench or Common Pleas, to counsel in argument or examination in chambers, to be allowed by the Judge at the time when he considers the attendance of counsel necessary, not less than	1 5 0	0 15 0		
nor more than	0 10 0	0 5 0		
Fee, in the County Court, to counsel on argument or examination in chambers, to be allowed by the Judge at the time when he considers the attendance of counsel necessary, not less than	1 5 0	0 12 6		
nor more than .....	.....	.....	0 5 0	0 3 9
In all applications and proceedings before the County Judges, not relating to suits instituted in any Court of Civil Judicature, there shall be payable to the attorney and counsel the same fees as in the foregoing table, so far as the same are applicable.	.....	.....	0 15 0	0 7 6
Necessary postage.				
FEEs				
To be taken and received by the Clerks of the Crown and Pleas, or their deputies, or by the Clerk of the Process—in addition to all fees expressly imposed by statute.				
Every writ	0 2 6	0 1 9	0 1 3	0 1 0
Every concurrent alias pluries or renewed writ....	0 2 6	0 1 9	0 1 3	0 1 0
Every appearance entered and filing memorandum thereof	0 1 0	0 0 6	0 0 6	0 0 3
Every appearance each defendant after the first....	0 0 6	0 0 3	0 0 4	0 0 2
Filing every affidavit, writ or other proceeding ...	0 0 4	0 0 2	0 0 4	0 0 2
Amending every writ or other proceeding	0 1 3	0 0 9	0 1 3	0 0 9
Every ordinary rule	0 1 3	0 1 0	0 1 0	0 0 9
Every special rule, not exceeding six folios, when prepared by the Master	0 3 6	0 2 6	0 2 0	0 1 0
Every special rule exceeding six folios, per folio....	0 1 0	0 0 6		
Every judgment by default	0 2 6	0 2 0	0 1 3	0 1 0
Every final judgment otherwise than judgment by default	0 2 6	0 2 0	0 2 6	0 2 0
Taxing every bill of costs and giving allocatur or certificate	0 3 4	0 0 9	0 3 4	0 0 9
Every reference, inquiry, examination or other special matter referred to the Master, for every meeting not exceeding one hour	0 5 0	0 2 6	0 2 6	0 2 0
do for every additional hour or less...	0 5 0	0 2 6	0 2 6	0 2 0

TO THE ATTORNEY.	1st Column.	2nd Column. Schedule A.	3rd Column.	4th Column. Schedule A.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Upon payment of money into Court, for every sum under £50.....	0 5 0	0 2 6	0 5 0	0 2 6
do do £50 and under £100....	0 10 0	0 3 9	0 10 0	0 3 9
do do £100 and above that sum	1 0 0	0 5 0		
Every certificate made evidence by law or required by the practice, including any necessary search.	0 2 6	0 2 6	.....	0 2 6
Exemplification or office copy of proceedings, per folio.....	0 0 6	0 0 6	.....	0 0 6
Every search, if not more than two terms.....	0 0 6	0 0 3		
Every search exceeding two and not more than four terms.....	0 1 0	0 0 3		
Every search, if not more than one year.....	.....		0 0 6	0 0 3
Every search, exceeding one year, and not more than two years.....	.....		0 1 0	0 0 6
Every search exceeding two years, or a general search.....	.....		0 2 6	0 1 3
do four terms, or a general search..	0 2 6	0 1 3		
Every affidavit, affirmation, &c., taken before them	0 1 0	0 0 6	0 1 0	0 0 6
Every allowance or justification of bail.....	0 1 3	0 1 0		
Taking recognizance of bail.....	0 1 3	0 1 0		
Filing affidavit and enrolling articles previous to the admission of an attorney.....	0 2 0	0 1 0		
Every admission of an attorney.....	0 10 0	0 5 0		
Entering satisfaction on record and filing satisfaction piece, including any necessary search.....	0 2 6	0 1 3	0 1 3	0 1 0
Every commission for the examination of witnesses.	0 5 0	0 2 6	0 2 6	0 1 3
Every commission for taking bail and affidavit to be on parchment.....	0 10 0			
Entering exonerator on bail piece.....	0 1 0	0 0 6	0 1 0	0 0 6
Making up records of conviction or of acquittal, per folio.....	0 0 6	0 0 6		
Entering and docketing judgments.....	0 2 6	0 1 3		
For making the entry required in the debt attachment book or cognovit book.....	0 2 6	0 1 3	0 2 6	0 1 3
Every record entered in the sittings docket.....	.....		0 1 3	0 1 0
Every verdict taken, nonsuit or jury discharged..	.....		0 2 6	0 1 3
Every rule or order of reference at the trial.....	.....		0 2 0	0 1 0
Drawing appointment made by Judge or Clerk...	.....		0 1 0	0 0 6
For Judge's summons or fiat.....	.....		0 1 0	0 0 6
Judge's order.....	.....		0 2 0	0 1 0
Each quarterly account rendered by him to the proper officer to be paid out of the Fee fund....	.....		1 0 0	0 5 0
For every other account of fees received, made and rendered in a legal requisition, to be paid out of the Fee fund.....	.....		0 10 0	0 5 0
For attending at every special hearing before the Judge, under the County Court Procedure Act, and at taking examinations and evidences, and at sittings on reference to the County Judge from the Superior Courts, not exceeding one hour.....	.....		0 1 3	0 1 3
For every additional hour or less.....	.....		0 1 3	0 1 0
In all applications and proceedings before the County Judge, not relating to suits instituted in any Court of Civil Judicature, there shall be payable to the clerks of the County Courts the same fees as in the foregoing table, so far as the same are applicable to Clerks of Assize and Marshal. The fees by statute to be accounted for to the Fee fund.				
CLERK IN CHAMBERS.				
Every summons.....	0 1 3	0 1 0		
Every order.....	0 2 6	0 1 3		

TO THE ATTORNEY.	1st	2nd	3rd	4th
	Column.	Column. Schedule A.	Column.	Column. Schedule A.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
For receiving and taking charge of Nisi Prius Records and exhibits in each cause.....	0 2 6	0 1 3		
Filing each paper.....	0 0 4	0 0 2		
Every fiat for a rule of Court.....	0 1 3	0 1 0		
Taking every affidavit or affirmation.....	0 1 0	0 0 6		
For searches the same allowance as to the Clerk of the Crown and Pleas.				
FEE FUND (COUNTY COURTS).				
Fees to be received by the Clerk and to belong to and be paid over to the Fee Fund, and substituted for the fees specified in Con. Stat. U. C., c. 15, section 30, and schedule thereunto subjoined.				
Every Writ of Summons or capias adrespondendum.....			0 1 6	0 1 1
Every verdict.....			0 6 3	0 4 8
Every certificate of proceedings to be transmitted to the Court of Queen's Bench or Common Pleas.....			0 2 6	0 1 10
Every rule requiring a motion in open Court.....			0 1 6	0 1 1
Every rule or order of reference.....			0 1 6	0 1 1
Every other rule or Judge's order.....			0 1 3	0 0 11
Every recognizance of bail taken by a Judge.....			0 1 6	0 1 1
Every affidavit administered by Judge.....			0 1 0	0 0 9
Every reference in a bill, note, bond, covenant, account or claim.....			0 3 0	0 2 3
Every writ of subpoena.....			0 1 0	0 0 9
Every judgment entered.....			0 6 3	0 4 8
Every oath administered in open Court.....			0 1 0	0 0 9
For every special hearing before the Judge, Con. Stat. U. C., cap. 15, schedule to sec. 30.....			0 1 0	0 0 9
For every day's sittings in taking examinations and evidences.....			0 2 0	0 1 6
On every reference to the County Judge from the Superior Courts, ten shillings per day for every day's sitting, in taking examinations and evidences—Con. Stat. U. C., cap. 15, sched. to sec. 30.....			0 10 0	0 7 6
One shilling per folio on the evidences taken on every reference to him from the Superior Courts.....			0 1 0	0 0 9
For every report on the examination and evidence on the reference to him from the Superior Courts.....			0 5 0	0 3 3
Sums payable on proceedings in the Queen's Bench, Common Pleas and Practice Court, and substituted for the sums in the schedule subjoined to Con. Stat. U. C., c. 33, s. 6:				
On every writ of summons or capias, and on every other writ or other document of what nature or description soever, having the seal of the Court affixed thereto.....	0 2 6	0 1 10		
On every judgment entered.....	0 3 0	0 2 3		
On every certificate of judgment.....	0 2 6			
On setting down on the paper, for argument, of every demurrer, special case, points reserved, special verdict or appeal case.....	0 1 6	0 1 2		
Every record of Nisi Prius entered for trial or assessment, being the sum mentioned in Con. Stat. U. C., c. 11, s. 20.....	0 5 0	0 3 9		
On every rule of Court issued.....	0 1 0	0 0 9		
On taxation of every bill of costs.....	0 0 9	0 0 6		
SHERIFF (CIVIL SIDE).				
Every warrant to execute any process, mesne or final, when given to a Bailiff.....	0 2 6	0 1 3	0 1 3	0 1 0
Arrest when amount indorsed does not exceed £50.....	0 5 0	0 3 9	0 5 0	0 3 9

TO THE ATTORNEY.	1st	2nd	3rd	4th
	Column.	Column. Schedule A.	Column.	Column. Schedule A.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Arrest when amount endorsed is over £50 and under £100	0 10 0	0 7 6	0 10 0	0 7 6
do do over £100	1 0 0	0 10 0		
Mileage going to arrest, when arrest made, per mile—and conveying party arrested from place of arrest to the gaol, per mile.....	0 0 6	0 0 6	0 0 6	0 0 6
Bail bond, or bond for the limits.....	0 5 0	0 3 9	0 2 6	0 2 0
Assessment of the same	0 5 0	0 2 6	0 1 3	0 1 3
For an undertaking to give a bail bond.....	0 5 0	0 2 6		
Service of process not bailable, scire facias or writ of revivor (including affidavit of service) and oath, each defendant.....	0 5 0	0 2 6	0 2 6	0 2 0
For each summons or writ of fieri facias to be paid by the Sheriff	0 2 6	0 2 6	0 2 6	0 2 6
Serving subpoena, declaration, notices or other papers, besides mileage for each party served.....	0 2 6	0 1 3	0 1 3	0 1 0
Receiving, filing, entering and endorsing all writs, declarations, rules, notices or other papers to be served, each	0 1 2	0 0 6	0 0 6	0 0 6
Return of all process and writs.....	0 2 6	0 1 3	0 1 3	0 1 0
Every search not being by a party to a cause or his attorney	0 1 0	0 0 6	0 1 0	0 0 6
Certificate of result of search, when required	0 2 6	0 1 3	0 2 6	0 1 0
Fees on striking a special jury	1 0 0	0 10 0		
Serving each special juror.....	0 1 3	0 1 0		
Summoning special jury—each mile's travel from the Court House	0 0 6	0 0 6		
Returning panel of special jurors.....	0 5 0	0 5 0		
Every jury sworn.....	0 5 0		0 4 0	
Poundage in executions and in attachments in the nature of executions, where the sum made shall not exceed £100 in the £.....	0 1 0	0 0 6	0 1 0	0 0 6
Where it exceeds £100 and is less than £1,000 in the £ upon the sum actually made.....	0 0 6	0 0 6		
Over £1000, one per cent. on whatever exceeds £1000, in addition to the poundage allowed up to £1000, in lieu of all fees and charges for services and disbursements, except mileage in going to seize and disbursements for advertising, and except disbursements necessarily incurred in the care and removal of property in cases exceeding £100, to be allowed by the Master in his discretion.				
Schedule of goods taken in execution, including copy to defendant, if not exceeding five folios..	0 5 0	0 2 6	0 2 6	0 1 3
Each folio above five	0 0 6	0 0 6	0 0 6	0 0 6
The sum actually disbursed for advertisements required by law to be inserted in the official gazette or other newspaper. Drawing up advertisements when required by law to be published in the official gazette or other newspaper, and transmitting the same in each suit	0 5 0	0 2 6	0 2 6	0 1 3
Every notice of sale of goods in each suit.....	0 2 6	0 2 0	0 1 3	0 1 0
Service of writ of possession or restitution, besides mileage	1 0 0	0 10 0		
Bringing up prisoners on attachment or habeas corpus, besides travel at one shilling per mile ..	0 5 0	0 5 0		
Every notice of postponement of sale of execution in each suit	0 1 3	0 1 0	0 1 0	0 0 9
Actual mileage from the Court House to the place where services of any process, paper or proceedings is made, per mile	0 0 6	0 0 6	0 0 6	0 0 6
Seizing estate and effects in attachment against an absconding debtor	0 10 0	0 7 6	0 5 0	0 3 9
Every inventory to be charged as in executions.				

TO THE ATTORNEY.	1st	2nd	3rd	4th
	Column.	Column. Schedule A.	Column.	Column. Schedule A.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Removing or retaining property—reasonable and necessary disbursements to be made by the Master or Clerk, or by the order of the Court or Judge.				
Power to secure goods taken under an attachment—Con. Stat. U.C., c. 25, s. 15—if prepared by the Sheriff.....	0 5 0	0 5 0	0 5 0	0 5 0
Presiding on execution of writ of inquiry.....	1 0 0	0 10 0		
SUMMONING JURY.				
Bailiff fee, summoning jury, mileage per mile	0 0 6	0 0 6		
Hire of room, if actually paid, not to exceed ten shillings	0 10 0	0 10 0		
Mileage from Court House to place where writ executed, per mile.....	0 0 6	0 0 6		
IN REPLEVIN.				
Precept to the Bailiff	0 2 6	0 1 3	0 1 3	0 1 0
Notice for service on defendant.....	0 2 6			
Delivering goods to the party obtaining the writ..	0 10 0	0 7 6	0 5 0	0 3 9
For writ de retorno habendo.....	0 5 0	0 3 9	0 2 6	0 2 0
Replevin bond, when not prepared by the attorney	0 5 0	0 3 9	0 2 6	0 2 0
CORONERS.				
For services required to be rendered by them in civil proceedings the same fees as are by this table allowed to the Sheriff.				
CRIERS.				
Calling and swearing jury	0 2 6	0 1 10	0 2 0	0 1 4
Calling plaintiff on nonsuit.....	0 0 6	0 0 6	0 0 6	0 0 6
Swearing each witness or constable	0 0 6	0 0 4	0 0 6	0 0 4
Proclaiming and calling parties on recognizance, each person	0 1 0	0 0 9		
Jurors where not specially provided for by statute.				
Jurors, when not paid by the County every cause, each juror.....	0 1 3	0 1 3	0 0 7½	0 0 7½
Special jurors—each day's actual attendance to be paid to all summoned before verdict rendered ..	0 5 0	0 5 0		
ALLOWANCE TO WITNESSES.				
To witnesses residing within three miles of the Court House, per diem.....	0 3 9	0 3 9	0 3 9	0 3 9
To witnesses residing over three miles from the Court House	0 5 0	0 5 0	0 5 0	0 5 0
Barristers and Attorneys, physicians and surgeons, when called upon to give evidence in consequence of any professional service rendered by them, or to give professional opinions, per diem	1 0 0		1 0 0	
Engineers and surveyors, when called upon to give evidence of any professional service rendered by them, or to give evidence depending upon their skill and judgment, per diem	1 0 0		1 0 0	
If the witnesses attend in one cause only, they will be entitled to the full allowance. If they attend in more than one cause they will be entitled to a proportionate part in each cause only.				
The traveling expenses of witnesses over ten miles shall be allowed according to the sums actually paid, but in no case shall exceed one shilling per mile, one way	0 1 0	0 1 0	0 1 0	0 1 0
COMMISSIONERS.				
For taking every affidavit.....	0 1 0	0 0 9	0 1 0	0 0 9
Taking every recognizance of bail.....	0 2 6	0 1 0	0 1 6	0 1 0

23. No judge in either of Her Majesty's Superior Courts of Common Law or of any County Court, nor the Master or any taxing officer of the said Superior Courts, shall after the passing of this Act increase any counsel fee with brief at Trial or on argument of Demurrers, special case, appeal, or otherwise in any case whatever.

24. The costs referred to in the ninth section of this Act when taxed and no more or other or greater costs or charges shall be payable, collected or received for, or in respect of any sale of lands, in pursuance of a power of sale contained or referred to in any mortgage.

COSTS OF MORTGAGE SALE.		£	s.	d.
Notice of sales, inclusive of copies, demand of payment, attendances, advertisements, letters, affidavits and bill of costs.....		1	10	0
Every necessary conveyance		0	15	0
The Sheriff, or other person, for serving each notice or paper.....		0	1	3
Affidavit, when drawn by Sheriff		0	1	3
Actual mileage from the Court House of the County wherein service of any notice or paper is made, per mile.....		0	0	6
The sum actually and necessarily disbursed for postage.				
The sum actually and necessarily disbursed for printing in some weekly paper.				
The sum actually and necessarily disbursed for abstract of title, if obtained after execution of mortgage.				
Auctioneers, for selling each parcel of land		1	5	0
Taxation of costs		0	0	9
Commissioners, for taking every affidavit.....		0	0	9

NOTE.—No Auctioneer's charge to be allowed for selling any parcel of land after the service contained or described in the same mortgage.

25. In any suit in Her Majesty's Court of Chancery in Upper Canada brought for the Foreclosure or Redemption of a mortgage, or for enforcing any registered lien on Lands where the bill is filed in the office of the Deputy Registrar of any County, and there shall be no examination of witnesses before decree, all proceedings shall be had and taken before such Deputy Registrar, in the same manner as the same are or may be now taken before the Court or any officer thereof at Toronto.

26. All decrees or orders made or pronounced by such Deputy Registrar by virtue of the preceding section of this Act, shall have the same force and effect as if the same had been made or pronounced before the said Court, according to the present practice, and either party interested may appeal from any such decision, or order to the said Court, and such Court may affirm reverse or modify such decision, or order or make such other decree or order upon the subject matter of appeal, and the proceedings had therein as to such Court seems proper, and upon such terms as to costs as the Court shall think fit, but such costs shall in no case exceed the sum of two pounds ten shillings.

TABLE OF COSTS IN FORCE IN THE COURT OF CHANCERY ANNULLED AND
A NEW TABLE OF COSTS PROVIDED FOR THE SAID COURT.

27. The table of costs framed by the judges of the Court of Chancery, and contained in the orders of said Court, of the third day of June, in the year of our Lord one thousand eight hundred and fifty-three, in pursuance of the statute in that behalf, also every other table of costs, every order for the allowance of costs, every order for the allowance of fees to sheriffs and coroners now in force in the said Court, are hereby repealed and declared to be void.

28. The table of costs set forth in schedule B. from and after the

passing of this Act, shall be the general allowance of costs for plaintiffs and defendants, as well between solicitor and client, as between party and party in suits and proceedings in the Court of Chancery for Upper Canada, and no other or greater costs shall be allowed in the said Court.

TABLE OF COSTS.

(SCHEDULE B.)

Explanation.

1st Column shews the present allowance of costs in the Court of Chancery. 2nd Column shews the costs proposed by this Act to be allowed in the Court of Chancery.

TO THE SOLICITOR.	1st Column.	2nd Column. Schedule B.
	£ s. d.	£ s. d.
Instructions for suit.....	0 10 0	0 7 6
Instructions to defend	0 10 0	0 7 6
Letters of notice before suit	0 2 6	0 1 3
Bill, inclusive of engrossing and of attendance to file, but not inclusive of copies to serve.....	1 0 0	0 10
For every additional folio above twenty to be allowed, in the discretion of the Master, per folio	0 1 0	
For every additional folio above twenty, but not exceeding thirty, per folio		0 0 6
Answer or other pleading, petition or special affidavit, not exceeding fifteen folios, per folio	0 1 0	0 0 6
Engrossing copies to file, copies to serve, each, per folio	0 0 6	0 0 6
Copies of orders or other papers or documents not office copies, required to be served, per folio	0 0 6	0 0 6
Office copies and engrossment of affidavit read over by the Master, per folio	0 0 5	0 0 3
Affidavits of service, including attendance to swear, and oath	0 2 0	0 2 0
Præcipe for any process, including attendance.....	0 1 3	
Special attendance on the Master's warrant or appointment, or on examination of witnesses, or on hearing of cause, or demurrer or special motion	0 5 0	0 2 6
When the hearing shall exceed one hour, then for every additional hour which shall be occupied by such hearing, and at which the solicitor shall be present in Court, provided the same be noted in the Registrar's book or be proved by affidavit (such affidavit to be without charge), the same not to exceed ten shillings	0 5 0	0 2 6
For every additional hour, beyond one hour, in the Master's office.	0 5 0	0 2 6
For every additional hour in the examination of witnesses where no counsel employed.....	0 5 0	0 2 6
Attending consultation of counsel, per hour	0 5 0	
Appointment to settle minutes or to pass decree or order, copy and services.....	0 3 0	0 2 0
For every hour's attendance before the Registrar, by his appointment, or settling minutes, the same being noted by the Registrar	0 5 0	0 2 6
For every hour's attendance before the Registrar by his appointment, or passing decree or special order, the same being noted by the Registrar	0 5 0	0 2 6
Where minutes settled, or decree or special order approved of or passed between the solicitors after appointment issued by the Registrar.....	0 5 0	0 2 6
Fee in all writs and orders of Court, to the party obtaining the same.....	0 5 0	0 2 6
Instructions for brief, after answer	0 5 0	0 2 6
Brief after answer (but in no other case).		0 10 0
Brief, per folio.....	0 0 6	0 6 0
Observations or other original matters, per folio	0 1 0	
Advertisement for sale of real or personal estate under the direction of the Court, including all copies except for printing.....	0 5 0	0 2 6

TO THE SOLICITOR.	1st Column.	2nd Column. Schedule B.
	£ s. d.	£ s. d.
Copy for printing, per folio	0 0 6	0 0 6
Fee on conducting sale, including arrangement with auctioneer, correcting proof sheet (if any), and attending sale	1 5 0	0 12 6
For every hour, beyond three, occupied at such sale	0 5 0	0 2 6
Drawing bill of costs and attending taxation	0 5 0	0 2 6
Drawing Judge's appointment and attending for his signature and to serve.....	0 5 0	0 3 9
Every necessary attendance	0 1 3	0 1 0
Postages—the amount actually disbursed.		
The sum actually and necessarily disbursed for abstracts and cer- tificates of title.		
COUNSEL.		
On argument at chambers	0 10 0	0 5 0
On settling and signing pleadings and petitions respectively, where, from their special nature, the Master shall think the pleading or petition a proper one to be settled by counsel.....	0 10 0	
On consultations	1 5 0	
On special application to the Court, arguing demurrer or other special argument, or at the hearing of a cause otherwise than where the judgment has been taken pro confesso.....	1 5 0	1 5 0
Fee when cause at issue and set down for the examination of wit- nesses	5 0 0	2 10 0
MASTERS IN ORDINARY AND DEPUTY MASTERS. MASTERS AND MAS- TERS EXTRAORDINARY.		
Every summons or warrant.....	0 1 3	0 1 0
Administering oath or taking affirmation	0 1 0	0 0 9
Marking every exhibit	0 1 0	0 0 4
Drawing depositions, reports or orders, per folio.....	0 1 0	0 0 6
One fair copy, when necessary, per folio.....	0 0 6	0 0 6
Copy of papers, when given out, per folio.....	0 0 6	0 0 3
Every attendance upon a reference	0 5 0	0 2 6
For each additional hour.....	0 5 0	0 2 6
Every certificate	0 2 6	0 1 3
Filing each paper	0 0 4	0 0 2
Taxing costs, including attendance.....	0 5 0	0 1 3
Making up and forwarding answers and depositions....	0 1 3	0 1 0
Every special attendance within two miles.....	0 2 6	0 2 0
Every additional mile above two	0 1 0	0 0 6
Reading over affidavit, per folio	0 0 1	0 0 0½
Matter added, per folio.....	0 1 0	0 0 6
Upon the setting down of cause for examination of witnesses.....	1 10 0	0 10 0
REGISTRAR OR DEPUTY REGISTRAR.		
Entering parties names and filing bill, answer or demurrer	0 2 6	0 0 6
Entering and filing all other pleadings, interrogatories and depo- sitions, or other evidence	0 1 0	0 0 6
Filing and registering affidavits, exhibits or other papers	0 0 4	0 0 2
Subpoena, including filing precept.....	0 2 6	0 1 3
Special writ, writ of commission.....	0 5 0	0 2 6
Office copy of papers required to be given out, per folio.....	0 0 6	0 3
Examining and authenticating same when office copy prepared by solicitor, per folio	0 0 1	0 0 0½
Attendance on appointment of guardian.....	0 2 6	0 1 3
Amendment of record when re-engrossment not necessary, per folio	0 1 0	0 0 6
Drawing fiat on petition	0 1 0	0 0 6
Attending a Judge for his signature to any document or paper....	0 1 3	0 1 0
Making up and forwarding interrogatories.....	0 1 3	0 1 0
Setting down cause	0 2 6	0 1 3
do other than those taken pro confesso	0 10 0	0 2 6
Certificate of pleadings filed.....	0 2 0	0 1 3
Certificate of state of cause.....	0 2 6	0 1 3
Drawing minutes of decree or special order, per folio.....	0 1 0	0 1 0

TO THE SOLICITOR.	1st Column.	2nd Column. Schedule B.
	£ s. d.	£ s. d.
Drawing decree or order, per folio.....	0 1 0	0 0 6
Entering same, per folio	0 0 6	0 0 6
Fee on payment of money into Court.....	0 1 3	0 1 0
do do out of Court	0 1 3	0 1 0
Fee on admission of solicitor	0 0 5	0 5 0
Certificate on each office copy at the time of filing bill.....	0 1 3	0 0 3
Searching files in office.....	0 1 0	0 0 6
Commission appointing Deputy Master or Master extraordinary....	0 10 0	0 10 0
SHERIFF OR CORONER.		
Receiving, entering and endorsing every paper.....	0 1 3	0 0 6
Return of all process and writs, except subpoenas.....	0 2 6	0 1 3
Warrant to Bailiff in writ not executed by Sheriff or Deputy.....	0 2 6	0 1 3
Serving each office copy bill, including affidavit of service and oath	0 5 0	0 2 6
Serving each warrant, notice, certificate, subpoena or other paper...	0 2 6	0 1 3
Ne Exeat, arrest on, when amount endorsed under £50.....	0 5 0	0 3 9
£50 and under £100.....	0 10 0	0 7 6
£100 and over.....	1 0 0	0 10 0
Attachment not defined, arrest on.....	0 10 0	0 7 6
Arrest upon attachment in the nature of an execution, when the sum endorsed is under £50.....	0 5 0	0 3 9
Over £50 and under £100.....	0 10 0	0 7 6
£100 and over.....	1 0 0	0 10 0
Besides poundage of sums endorsed, when sum endorsed is under £100 in the £.....	0 1 0	0 0 6
Over £100, but less than £1000 in the £.....	0 0 6	0 0 6
£1000 and over—1 per cent. on whatever exceeds £1000, in ad- dition to the poundage allowed up to £1000.		
Sequestration—Upon seizure of estate:		
Effects under writ of sequestration.....	0 10 0	0 7 6
Schedule of goods taken in execution, including copy for defend- ant, if not exceeding five folios.....	0 5 0	0 2 6
Each folio above five	0 0 5	0 0 5
Removing or retaining property—reasonable and necessary dis- bursements and allowances to be made by the Master or by the order of the Court or Judge.		
Poundage upon sequestration, followed by sale, same as allowed by this Act upon attachment in nature of execution. For ser- vices not specified, the like charges as are allowed at common law for analogous services, by this Act. Sums payable on proceedings in the Court of Chancery and substituted for the sums specified in the schedule subjoined to Con. Stat. U. C., c. 33, s. 6.		
On filing every bill or amended bill.....	0 12 0	0 9 9
On passing and entering each decree or decretal order.....	0 5 0	0 3 9
On every certificate of bill filed, on every certificate of decree or decretal order made, on every subpoena, and on every other writ or certificate issued under the seal of the Court.....	0 2 6	0 2 0

29. No certificate of filing Bill of Complaint in the Court of Chancery shall be required except in the original Bill filed with all endorsements or notices thereon, in default whereof the defendant may have the same amended at the plaintiff's expense.

30. In foreclosure suits, whenever an infant is a party to the suit, and the court appoints a guardian for such infant, and it shall afterwards happen that the infant's costs at taxation exceed one pound ten shillings, then the Master, or Taxing officer in lieu thereof, shall allow the sum of one pound ten shillings for such infant's costs, and no more.

31. Whenever a cause is heard upon an order to take the Bill *pro confesso* in a Suit for the Foreclosure of the Equity of Redemption in any mortgaged property, and whenever a foreclosure is ordered without a reference or further directions, it shall happen that the plaintiff's costs, according to the table of costs contained in this Act, and exclusive of all disbursements, but inclusive of counsel fees, amount to more than five pounds, then the Taxing officer instead of taxing the plaintiff's costs by the table of costs, shall in lieu thereof tax to the plaintiff the sum of five pounds, together with disbursements.