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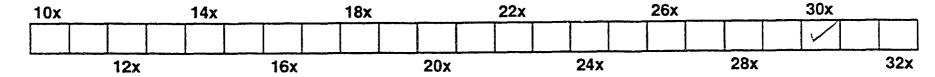
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BILL.

An Act to regulate the Office of Clerks of Assize in Upper Canada.

Received and read a first time, Tuesday, 3rd June, 1851.

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Second reading, Monday, 9th June, 1851.

Mr. Sмітн (Durham.)

TORONTO: PRINTED BY LOVELL AND GIBSON.

BILL.

An Act to regulate the Office of Clerks of Assize in Upper Canada.

THEREAS it is desirable to provide by Law for Preamble. the appointment and duties of Clerks of Assize in Upper Canada; Be it therefore enacted, &c.

That from and after the passing of this Act, there shall Chief Clerk of 5 be an Officer in the County of York, called the Chief Assize to be Clerk of Assize, to be appointed by the Governor of duties and those of his the Province for the time being, and to hold office during deputies. pleasure, and that such Chief Clerk, in the County of York, and the Deputy Clerks of the Crown, in the several 10 counties or unions of counties in Upper Canada, shall, ex officio, be and act as Marshals at the Courts of Assize and Nisi Prius and General Gaol Delivery, to be holden in their respective counties or unions of counties, and shall have all the powers and perform all the functions incident 15 to the same, as such Clerks of Assize and Marshals, and it shall be the duty of the said Deputy Clerks of the As to the Crown, respectively, immediately after each sitting of transmission of lecords. such Courts, to forward to the Chief Clerk of Assize at

record, and exhibit which shall be required by either party, or his or her attorney or agent, upon receiving notice to that effect, together with the usual and proper returns as such Deputy Clerk of Assize and Marshal, by 25 post, charging the postage thereon to Her Majesty's Government in this Province, which postage shall be allowed in their accounts as such Officers, in addition to their salary; and it shall be the duty of such Chief Clerk of Assize to deliver to the Clerk of the particular Court in 30 which the cause is pending, every record or other paper in his custody, when required for the purpose of motions

Toronto, all and every recognizance and indictment, in 20 their custody as such officers, respectively, and every

II. And be it enacted, That the fees and charges here-Fees received after to be received by the said Clerk and Deputy Clerks, to go to the 35 shall be by them accounted for, paid over and applied under 9 Vict. under the provisions of the Act passed in the ninth year a. 33. of Her Majesty's Reign, and intituled, " An Act to pro-"vide for the accommodation of the Courts of Superior "Jurisdiction in Upper Canada," as part of the Fund

for new trial or otherwise.

40 thereby created.

Allowance to the said Chief Clerk and his Deputies.

III. Provided always, and be it enacted, That instead of the per centage allowed by the said Act, the said Clerk and Deputy Clerks, respectively, shall be entitled to and be paid out of the said fee-fund, the sum of one pound and five shillings for every day they shall respectively be employed as such Clerks of Assize during any Assizes, and the said Chief Clerk, in addition thereto, the sum of one pound and five shillings, for every day's necessary attendance as such Chief Clerk of Assize in Term.

What shall constitute the Judgment Roll.

IV. And be it enacted, That after verdict, the attorney 10 of the party entitled to the *postea* in the cause, shall prepare the same, which, together with the judgment, shall be added or annexed to the record, and that the record, *postea* and judgment thus made up, shall form and constitute the judgment roll, and shall answer and be treated as 15 such for all purposes, and no other judgment roll in any such case shall be required.