

No. V.

MINOR COURTS FEES. An Act for appointing the Fees to be taken in the several Courts of Police and Petty Sessions and by the Clerks of Justices acting singly in the Colony of New South Wales. [16th July, 1833.]

Preamble. **W**HEREAS it is expedient that the Fees to be taken by the Clerks at the several Police Offices and Petty Sessions and by the Clerks of Magistrates acting singly in the Colony of New South Wales should be ascertained and fixed Be it therefore enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council thereof That from and after the passing of this Act the said Clerks respectively shall and may demand receive and take the several Fees specified in the Schedule hereunto annexed marked A for the business and services therein stated and by them performed and if at any time hereafter any such Clerk or any person acting as such shall under pretence of any matter or thing done transacted or performed by such person as Clerk demand or receive any other or greater Fee than such as are specified and set forth in the said Schedule he shall for every such offence forfeit and pay the sum of five pounds to be recovered in a summary way before any one Justice of the Peace Provided always that it shall be lawful for every Justice of the Peace and he is required to administer to any naval or military pensioner the oath or oaths necessary to be made for the receipt of his pension without any charge being made for the same.

Clerks to Benches of Magistrates and Magistrates acting singly may demand certain Fees.

Clerks demanding a larger Fee than specified to be fined five pounds.

Clerks to Magistrates to keep printed copies of table of Fees in a conspicuous part of Police Offices or to be fined.

Clerks to Magistrates acting singly to produce printed copy of such table of Fees on his demanding any Fee or to be fined.

Penalties not recoverable unless complaint made within one month.

2. And be it further enacted That the Chief Clerk in every Police Office and Clerk to every Petty Sessions as aforesaid shall cause true and exact printed copies of the table of such Fees as are specified in the Schedule hereunto annexed to be placed posted up and kept constantly in a conspicuous part of the room or place where such Office and Sessions are respectively held under pain of forfeiting for every day upon which the same shall not be so placed posted up or kept the sum of ten shillings and the Clerk of every Justice acting singly as hereinbefore mentioned shall produce and shew if required to the person requiring to see the same a printed copy of the said Schedule upon his demanding payment of any Fee and every such Clerk who shall neglect or refuse to produce such copy on being required so to do as aforesaid shall forfeit and pay the sum of ten shillings to be recovered in a summary way before any one Justice of the Peace Provided always That the penalties hereinbefore imposed shall not be recovered if complaint be not made within one calendar month after the commission of the alleged offence.

Minor Courts Fees.

3. And be it further enacted That the several Clerks of the several Police Offices and Petty Sessions shall once in every three months make a return in the form in the Schedule hereunto annexed marked B to the Justices of such Police Offices and Courts of Petty Sessions of each district respectively of all Fees received by them in their offices or places for business for services done or performed therein such return to be signed and sworn to by them and transmitted as the voucher of their several accounts and the said Clerks shall forthwith transmit and pay to the Colonial Treasurer for the time-being the full amount of all such fees to be appropriated and applied to the public uses of the said Colony and in support of the Government thereof.

Clerks to make a return on oath every three months of all Fees received by them.

And to pay the amount to the Colonial Treasurer. Appropriation of Fees.

SCHEDULES REFERRED TO.

A.

LIST of FEES to be taken by the Clerks at Police Offices and Petty Sessions and by the Clerks of Magistrates acting singly in New South Wales.

	s.	d.
Summons copy and serving	2	6
Subpœna not including more than four names	1	6
Copies to serve each	0	4
Drawing affidavit and information in cases within the jurisdiction of the Magistrates not exceeding one folio of 72 words	1	0
For every additional folio	0	8
Swearing the same	1	0
Swearing any other affidavit affidavits for Military and Naval pensions excepted ...	1	0
Warrant to apprehend in cases not felonious	2	6
Recognizance and notices of the nature thereof	5	0
Warrant to distrain under Penal Acts	2	6
Order of a Justice or Justices	1	0
Drawing any other document required in the discharge of the Police duties not enumerated above per folio of 72 words	0	8
Copy of proceedings per folio of 72 words	0	4

B.

Account of all Fees received between the day of 18 and day of 18 by the undersigned as Clerk of

Time when.	Parties litigating.	From whom.	On what account.	£	s.	d.

(Signed)

Clerk of