



ANNO SEXTO ET SEPTIMO

VICTORIÆ REGINÆ.

No. 4.

No. 926d/07

By His Excellency GEORGE GREY Esquire Governor and Commander-in-Chief of Her Majesty's Province of South Australia and its Dependencies and Vice-Admiral of the same by and with the advice and consent of the Legislative Council.

AN ORDINANCE appointing the Fees to be taken by Magistrates in South Australia.

WHEREAS it is expedient to ascertain and fix the Fees to be taken by Magistrates in Courts of Police and Petty Sessions and acting singly in South Australia :

BE IT THEREFORE ENACTED BY HIS EXCELLENCY the Governor of South Australia with the advice and consent of the Legislative Council thereof: That from and after the passing hereof the said Magistrates respectively ~~shall and~~ may demand receive and take the several Fees specified in the Schedule A hereunto annexed for the business therein stated and no other or greater Fees whatsoever: 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 oaths affirmations or declarations necessary to be made for the receipt of his pension without any charge for the same: Provided also that it shall be in the discretion of any Justice to make an order remitting in whole or in part the regulated fees in any case in which the poverty of the party liable shall be proved to his satisfaction.

Magistrates may demand certain fees.

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II. And

True copies of Schedule of Fees to be exhibited.

II. And be it further enacted that the Magistrate or proper officer in this behalf appointed by the Governor in every Court of Police or Petty Sessions shall cause true and exact copies of the said Schedule of Fees to be placed posted up and kept constantly in a conspicuous part of the room or place where such Court is ordinarily held and every Justice acting singly or his Clerk or officer as the case may be shall produce and show if required to the person requiring to see the same a true copy of the said Schedule upon his demanding payment of any Fee under pain of forfeiting in each of the above cases for every day upon which the same shall not be so placed posted up or kept and for every neglect or refusal to produce the same as aforesaid the sum of one pound sterling to be recovered in a summary way before any one Justice of the Peace: Provided always that complaint be made within one calendar month after the offence committed.

All fees fines and sums received to be returned and paid into Treasury quarterly.

III. And be it enacted that the several Magistrates shall at least once in every three months make a Return in form of Schedule B hereunto annexed to the Colonial Secretary of all fees fines penalties and sums of money received by them in virtue of their office such Return to be verified by declaration signed by them respectively and transmitted as the voucher of their several accounts and the said Magistrates shall forthwith transmit and pay the full amount of all such fees fines penalties and other sums to the Colonial Treasurer on behalf of Her Majesty her Heirs and Successors for the public uses of the Province and support of the Government thereof.

GEORGE GREY,

Governor and Commander-in-Chief.

Passed in the Legislative Council, this Eighteenth day of October, 1843.

W. L. O'HALLORAN,
Clerk of Council.

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SCHEDULE A REFERRED TO.

Table of Fees to be taken by the Magistrates at Courts of Police and Petty Sessions and by the Magistrates acting singly in South Australia.

	s.	d.
For every Information, Summons, Warrant, Hearing, Commitment, and Conviction,—each step	0	5 0
(Subpœnas and copies to serve not to be charged)		
" Oath, Affirmation, or Declaration (except for Naval or Military Pensions) each	0	1 0
" Recognizance (except to appear and prosecute)	0	10 0
" Bond of Appeal	0	10 0
" Order of a Justice or Justices	0	1 0
Drawing any other document required in the discharge of Magisterial duties not enumerated above per folio of seventy-two words	0	1 0
Copy of proceedings per folio of seventy-two words	0	0 6

Excepting cases of *Felony* in which no fees are chargeable.

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SCHEDULE B.

ACCOUNT of all Fees Fines Penalties and Sums of Money received between the day of _____ and _____ by the undersigned Justice of the Peace.

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

(Signed)

J. P.

ADELAIDE: