

manner and for such uses as in and by an act passed in the fourth year of the reign of Queen Anne, entitled "An act for regulating elections of sheriffs and coroners,"<sup>1</sup> is directed, required and enjoined, anything in the said law or any other act of general assembly of this province contained notwithstanding.

Passed March 11, 1752. Confirmed by the King in Council May 10, 1753. See Appendix XIX, Section I.

As to Section I, see (the Constitution of 1776, Plan of Government, Section XXXII;) and the Acts of Assembly passed September 13, 1785, Chapter 1175; February 15, 1799, Chapter 2020; July 2, 1839, P. L. 519; March 31, 1860, P. L. 382; (the Constitution of 1873, Article VIII, Section VIII;) April 18, 1874, P. L. 64; June 8, 1881, P. L. 70; May 9, 1889, P. L. 162.

As to Section II, see notes to the Acts of Assembly passed January 12, 1705-6, Chapter 161, August 24, 1717, Chapter 222. This section was repealed by the Act of Assembly passed September 26, 1767, Chapter 568.

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## CHAPTER .CCCXCVIII.

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### AN ACT FOR REGULATING AND ESTABLISHING FEES.

For preventing of extortion and undue exaction of fees by the several officers and practitioners of law in this province and to the end that all fees may be limited and reduced to certainty:

[Section I.] Be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That the fees of the several officers and practitioners of law in this province shall be as hereinafter is ascertained, limited and appointed, viz.:

That [the] fees belonging to the Keeper of the Great Seal of this province shall be as follows, viz.:

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<sup>1</sup> Passed January 12, 1705-6, Chapter 161.

- For affixing the seal to the lieutenant-governor's commission, to be paid by the public, fifteen shillings.
- For affixing the seal to the keeper of the great seal's commission, to be paid by the party, twelve shillings.
- For affixing the seal to any act of assembly or any exemplification of an act of assembly, six shillings.
- For affixing the seal to the master of the rolls' commission, to be paid by the party, ten shillings.
- For affixing the seal to every provincial judge's commission, to be paid by the public, six shillings.
- For affixing the seal to a commission of sheriff of the city and county of Philadelphia, to be paid by the party, eight shillings.
- For affixing the seal to a commission of sheriff of Bucks, Chester, Lancaster, York, Cumberland, Berks and Northampton, each, to be paid by the party, six shillings.
- For affixing the seal to a proclamation by the governor and council, to be paid by the public, six shillings.
- For affixing the seal to a commission of the peace, to be paid by the county, six shillings.
- For affixing the seal to the attorney-general's commission, to be paid by the public, six shillings.
- For affixing the seal to the secretary's commission, to be paid by the party, six shillings.
- For affixing the seal to the surveyor-general's commission, to be paid by the party, six shillings.
- For affixing the seal to a commission for clerk of the county of Philadelphia, to be paid by the party, ten shillings.
- For affixing the seal to a commission for clerk of Bucks, Chester, Lancaster, York, Cumberland, Berks or Northampton, each, to be paid by the party, six shillings.
- For affixing the seal to the register-general's commission, to be paid by the party, ten shillings.
- For affixing the seal to each coroner's commission, to be paid by the party, six shillings.
- For affixing the seal to a charter for a city, to be paid by the parties, twenty shillings.
- For affixing the seal to a charter for a borough or town, to be paid by the parties, ten shillings.

For affixing the seal to the proprietaries' receiver-general's commission, to be paid by the party, six shillings.

For affixing the seal to any single law (other than private acts) passed in any session of assembly, to be paid by the public, six shillings.

For affixing the seal to a special commission, to be paid by the public, six shillings.

For affixing the seal to each patent for land or lots, to be paid by the party, six shillings.

And that the fees belonging to the Master of the Rolls shall be as follows, viz.:

For recording the laws of the province in a fair, close hand, including parchment or book, for every line not less than twelve words, one with another, one half-penny.

For exemplification or copying of all laws for the royal assent or for the several counties of this province, one half-penny per line.

For recording, exemplifying or copying all patents, commissions, proclamations and other instruments, for each line, as it stands recorded as above, one half-penny.

For recording deeds, writings and things appertaining to the enrollment office, he finding paper or parchment, for each line as aforesaid, one half-penny.

For a copy or exemplification of any record in the said office as it stands recorded, for each line, one half-penny.

For searching any roll or record, one shilling.

For endorsement of certificate on each deed proved or acknowledged and his hand and seal thereto, one shilling and six pence.

And that the fees belonging to the Justices of the Supreme Court shall be as follows, viz.:

For allowing and signing the *allocatur* of every *certiorari*, for removing of indictments, orders, etc., four shillings.

For every cause brought into court by *certiorari* or writ of error, six shillings.

For taking bail to prosecute a *certiorari*, two shillings.

For judgment on every writ of error, *nolle prosequi* or other matter, to the bench, six shillings.

For every rule of court, imparlance, continuance by advisement or otherwise, two shillings.

And that the fees belonging to the Governor's Secretary or Clerk of the Council shall be as follows, viz.:

For reading and entering every petition to the governor and council for laying out [high] roads, two shillings.

For entering their order thereupon for laying out the road and entering the return thereof when laid out,

four shillings and six pence.

For a copy thereof, if required, three shillings.

For reading and entering every other petition and the order or answer thereof, two shillings.

For a Mediterranean, or let-pass, if required, each, four shillings.

For a register of every vessel, four shillings.

For writing of the provincial judge's commission or for trial of negroes, each, five shillings.

For general commissions of the peace, to be paid by the county, five shillings.

For a single commission for a justice or coroner, to be paid by the county, four shillings and six pence.

For a single commission for sheriff or clerk, to be paid by the party, six shillings.

For a warrant under the lesser seal, to affix the great seal to any law passed here, provincial judge's commission, commission of the peace or any other commission, proclamation or other public instrument, each, two shillings and six pence.

For a warrant to affix the great seal to a pardon, to be paid by the party, four shillings.

And that the fees belonging to the Proprietaries' Secretary shall be as follows, viz.:

For every ticket to the receiver-general for the payment of the consideration money, and to the surveyor-general to examine if the land applied for be clear of prior claims or surveys, and all other examinations attending the application for a warrant and for the warrant, five shillings.

For acceptance of and filing the surveyor-general's return, examination of the courses and quantity contained in the said return, warrant for the great seal and entry of the patent,

lodging it in the recorder's office and for the patent, to be on parchment, nineteen shillings.

For every recital of transference on every description at large of more than one tract or parcel of land, eighteen pence each, over and above the said nineteen shillings.

And that the fees belonging to the Attorney-General shall be as follows, viz.:

For every capital cause where life is concerned, for the whole prosecution, to be paid by the party, thirty-six shillings.

And if not found by the grand inquest, to be paid by the county, eighteen shillings.

For every other matter by bill of indictment, eighteen shillings; if not found, to be paid by the county, nine shillings.

For and if the defendant shall, by *habeas corpus*, *certiorari* or otherwise, remove any indictment from any court of quarter-sessions before the justices of the supreme court, the attorney-general shall, for his service in drawing the indictment and prosecuting the same, have the sum of thirty-six shillings; but if the same be removed by order of the said attorney, he shall receive but eighteen shillings for the same.

And that the fees belonging to the Sheriff of every county of this province shall be as follows, viz.:

For serving every writ of arrest and taking into custody, four shillings and six pence.

For serving a summons, three shillings.

For return of a summons, arrest or attachment, one shilling.

For delivery of a copy of a declaration, one shilling.

For every bail bond, two shillings and six pence.

For traveling charges for every mile, two pence.

For summoning or serving a witness with a subpoena, besides mileage, nine pence.

For summoning and returning a jury in every cause where issue is joined, two shillings.

For returning an execution for land, six shillings.

For returning an execution for goods and chattels, one shilling and six pence.

For serving an execution and selling the land or goods executed or delivered to the creditor and returning the *venditioni ex-*

*ponas* or *liberari facias*, for any sum not exceeding one hundred pounds, six pence per pound; if above one hundred pounds, three pence per pound, and no more. And that [no] poundage be paid for more than the real debt or damage due to the plaintiff named in the execution.

For the turnkey's fees, to be paid upon the discharge of a prisoner, two shillings and six pence; but if upon a debt under five pounds, nine pence.

For executing writs of inquiry of damages, attesting the jury and making return thereof, nine shillings.

For executing every other writ of inquiry and all writs or orders of partition of lands or tenements, attesting the jury for any matter or thing to be done by him about such partition and making return thereof, twenty shillings; but if the business of the partition exceed what the jury can perform in one day, then the sheriff for every day more that he shall attend on the jury about the said partition shall have six shillings per diem.

For every judgment in civil causes, one shilling.

For assigning every bail-bond, one shilling and six pence.

For every criminal cause, ten shillings.

For every capital cause, twenty shillings.

For levying fines, forfeitures and amerciaments, estreated and paid to the treasurer, six pence per pound, to be allowed by the treasurer out of the same.

And that the fees belonging to every Coroner of the counties of this province shall be as follows, viz.:

For viewing a dead body, ten shillings.

For summoning the inquest, entering the verdict and returning the inquisition, ten shillings.

For summoning or arresting the sheriff or any other person for him, four shillings and six pence.

For traveling charges, each mile, two pence.

And that the fees belonging to the Justices of Peace shall be as follows, viz.:

For writing, signing and sealing every warrant, *mittimus*, recognizance, certificate, pass or other instrument,

one shilling and six pence.

For signing every attachment, arrest or summons, one shilling.

For taxing every bill of costs and signing every judgment of court,	one shilling.
For every judgment of court upon confession, default, <i>nolle prosequi</i> or otherwise, bench fees,	four shillings.
For signing and sealing every judicial writ,	one shilling.
For respiting every recognizance,	six pence.
For writing the assignment of a servant, signing it and keeping a record thereof,	two shillings.
For taking a deposition or affidavit out of court,	one shilling.
For every warrant of summons, <i>capias</i> or attachment, and execution for demand under five pounds,	nine pence.
For every judgment for such debt or demand,	nine pence.
And that the fees belonging to the said Justices in the Orphans' Court shall be as follows, viz.:	
For order to compel administrators to pay according to their bond,	nine pence.
For order to distribute the real estate of intestates,	one shilling.
For order for sale of land,	one shilling.
For order for valuation of land,	one shilling.
For order to compel an administrator to give better security,	nine pence.
For order to compel an executor to give better security,	nine pence.
For order to put out minor's money;	nine pence.
For order for guardians,	one shilling.
For giving judgment upon the final settlement of an estate, bench fees,	four shillings.
And that the fees belonging to the Prothonotary or Clerk of the Supreme Court shall be as follows, viz.:	
For entering every action or cause there,	one shilling.
For filing the errors assigned in every cause,	one shilling.
For every <i>retraxit</i> , discontinuance or quashing of a writ of error,	one shilling.
For entering every appearance,	one shilling.
For filing and entering any demurrer, plea, replication and every other subsequent plea and issue,	one shilling and six pence.
For calling the jury and attesting them,	one shilling and six pence.

For attesting each witness in every cause,	nine pence.
For recording every verdict,	one shilling and six pence.
For recording every judgment,	one shilling.
For entering every continuance,	one shilling and six pence.
For entering the arrest of judgment,	one shilling and six pence.
For entering every warrant of attorney, <i>committitur</i> or rule of court,	one shilling.
For reading the record, which is all the proceedings below and above,	two shillings.
For every <i>nolle prosequi</i> ,	one shilling.
For filing a declaration,	one shilling and six pence.
For reading every affidavit,	nine pence.
For acknowledging satisfaction upon record,	one shilling and six pence.
For every subpoena to give evidence,	one shilling and six pence.
For drawing every bill of costs at large,	one shilling and six pence.

And that the fees belonging to the Clerk of the Court of the General Quarter-Sessions of the Peace and Gaol Delivery in every county and city of this province shall be as follows, viz.:

For every warrant of the peace or behavior, requiring to bring sureties, if drawn by the clerk,	nine pence.
For every common warrant, subpoena or <i>mittimus</i> , if drawn by the clerk,	nine pence.
For every deposition upon examination, if written by the clerk,	nine pence.
For every recognizance, if drawn by him,	nine pence.
For every indictment of felony, trespass, assault, battery, riot, &c., if drawn by the clerk,	three shillings.
For a copy thereof,	one shilling.
For entering every appearance to every indictment or information,	nine pence.
For discharge of every person upon bail for the peace, good behavior, contempt or the like, with a warrant of discharge thereon,	one shilling.
For awarding and making out process against the defendant upon an information or indictment,	one shilling.
For discharge of every indictment upon <i>ignoramus</i> ,	nine pence.



For every plea of not guilty,	nine pence.
For entering every special plea or demurrer,	one shilling.
For entering every submission,	nine pence.
For calling the jury and attesting them,	nine pence.
For attesting each witness in every trial,	four pence.
For entering every verdict,	nine pence.
For entering every judgment,	nine pence.
For a copy of every judgment,	six pence.
For every judicial writ in criminal cases,	two shillings and six pence.
For respiting a recognizance,	nine pence.
For every writ of restitution,	two shillings.
For drawing and entering or copying every order of sessions,	nine pence.
For reading and entering of every petition,	nine pence.
For entering at large the return of a road laid out,	two shillings and six pence.
For a copy thereof for every sheet containing thirty lines and twenty words in every line,	two shillings.
For making out the estreats for levying fines and forfeitures of each session,	one shilling.
For entering <i>similiter</i> to join issue,	six pence.
For relinquishing the plea and entering submission,	nine pence.
For a <i>venire facias</i> ,	one shilling.
For reading the indictment and arraigning the criminal,	nine pence.
For continuing the cause after issue joined,	nine pence.
For reading every evidence upon trial,	four pence.
For allowing every writ of <i>certiorari</i> , writ of error or <i>procedendo</i> ,	six pence.
For entering a <i>nolle prosequi</i> ,	nine pence.
For entering the rule upon motion to arrest judgment,	nine pence.
For entering the arrest of judgment,	nine pence.
For a <i>habeas corpus</i> ,	two shillings.
For drawing up and examining every record of all the proceedings upon indictments or informations, in rolls of parchments not less than ten inches wide, for every line containing twelve words,	three farthings per line.

For a copy and signing thereof, if required,	one half-penny per line.
For writing every recommendation for a license to keep a public inn or alehouse for selling provision and all sorts of liquors, and making the bond or recognizance and entering the said license, bond or recognizance,	five shillings.
And that the fees belonging to the Prothonotary or Clerk of the Common Pleas in every county of this province shall be as follows, viz.:	
For every arrest, attachment or summons,	three shillings and four pence.
For every replevin,	three shillings.
For entering every action,	six pence.
For filing the declaration,	six pence.
For a copy of the declaration in an action of account, debt, detinue, trespass, <i>assumpsit</i> , trover and ejectment,	one shilling.
For a copy of a declaration in an action of slander, covenant or waste,	two shillings.
For withdrawing or discontinuing every action,	nine pence.
For entering every appearance,	six pence.
For filing and entering every demurrer, plea, replication and pleas subsequent, and issue in every action,	six pence.
For entering every general issue,	six pence.
For a copy of every plea, replication or pleas subsequent,	six pence.
For calling the jury and attesting them,	one shilling.
For attesting each witness who shall give evidence on every trial,	four pence.
For recording every verdict,	nine pence.
For entering the judgment,	nine pence.
For every continuance,	nine pence.
For entering a <i>committitur</i> ,	nine pence.
For entering every warrant of attorney and filing,	six pence.
For entering <i>remittitur</i> for debt or damages,	nine pence.
For drawing the bill of costs at large,	nine pence.
For acknowledging satisfaction of a judgment upon record,	nine pence.

For making out the estreats for levying fines and forfeitures in  
each court, one shilling.

For each cause contained in the list of issues to be set up in the  
clerk's office and in court when sitting, three pence.

And that the fees belonging to the Clerk of the Orphans' Court  
in every county of this province shall be as follows, viz.:

For drawing petitions, if done by the clerk,  
two shillings and six pence.

For reading and filing petitions, each one shilling.

For entering petitions on record, each,  
one shilling and nine pence.

For entering orders and recording, one shilling.

For copy *inde* and seal, four shillings.

For entering rules for appointing guardians and recording,  
one shilling and nine pence.

For entering rules for appointing auditors to examine accounts,  
one shilling and nine pence.

For reading, filing and recording report of auditors,  
one shilling and nine pence.

For entering order of confirmation of auditors' report, &c.,  
one shilling and nine pence.

For drawing notice of sale and copy *inde*, two shillings.

For entering orders for persons to make partition,  
one shilling and nine pence.

For copy of the order of partition and seal, six shillings.

For reading, entering and filing the return of the partition, for  
every line containing not less than twelve words in each of  
them, one half penny per line.

For entry of final judgment, one shilling and nine pence.

For every citation, two shillings.

For drawing pleas of partition and inserting the same in the  
records, six shillings.

For every subpoena *ad testificandum* and seal,  
three shillings and six pence.

For every search, one shilling.

For a copy of a record, for every line not less than twelve words  
in a line, one half-penny.

[Section II.] Provided always, and be it further enacted by  
the authority aforesaid, That the clerks of the Orphans' Courts

in every county within this province shall and they are hereby enjoined to provide good, large books, of royal or other large paper, well bound and covered, wherein they shall record in a fair and legible hand all the proceedings of the said Orphans' Courts held within the said counties respectively, together with exact draughts of the lands divided by order of the said courts.

And that the fees belonging to the Register-General of this province shall be as follows, viz.:

For granting and making letters of administration under the seal of the office, registering the same and taking bond,

twelve shillings.

For making and granting probate of a will, with copy of a will, under the seal of the office and registering the same,

fifteen shillings.

For a copy of letters of administration,

four shillings.

For a citation,

two shillings.

For filing the inventory and certifying the time when it was brought into the office on the back of the bond, or, if no bond, giving the executors such certificate,

nine pence.

For a copy thereof, if it exceed not one hundred pounds,

three shillings.

But if it amount to more,

six shillings.

For a search,

one shilling and six pence.

For a *quietus*,

four shillings.

For every *caveat*,

one shilling.

For filing and entering a renunciation,

one shilling.

For a copy of an administrator's account, if less than one sheet,

four shillings.

But if more,

three shillings per sheet.

For a copy or exemplification of a will under seal which does not go with the probate for every line, not less than twelve words,

one half-penny.

And that the fees belonging to the Attorneys-At-Law in this province shall be as follows, viz.:

For every replevin, if drawn by the attorney,

three shillings.

For all actions they shall undertake for plaintiff or defendant, with declaration,

twelve shillings.

For attending every writ of inquiry,

four shillings.

- For every action brought to judgment, twelve shillings.  
 For writing every writ of inquiry, *scire facias*, *venditioni exponas* or execution, three shillings.  
 For drawing the recognizance for prosecuting a writ of error or *certiorari* in the supreme court, two shilling and six pence.  
 For every writ of execution in that court, six shillings.  
 For drawing every warrant of attorney, six pence.

And that the fees belonging to the constables within this province shall be as follows, viz.:

- For serving a warrant, one shilling.  
 For traveling charges, two pence each mile.  
 For serving every attachment, two shillings.  
 For serving an execution for a debt not exceeding five pounds, one shilling.  
 For selling goods taken in execution, two shillings.

And that the fees belonging to all Juries and Inquests within this province shall be as follows, viz:

- For trying all actions upon issue joined, eight pence per man.  
 For every inquisition on writs of inquiry of damages, *elegit*, partition or any inquest of office or other inquiry, each man, two shillings *per diem*.

And that every witness shall have for every day he spends in going, coming and attending to give evidence in any cause, two shillings *per diem*.

And the crier of every court shall have for every action called in court, nine pence.

And that the fees belonging to the Surveyors of Land within this province shall be as follows, viz.:

- For recording proprietors' warrant, and copy directed to his deputy surveyor to execute it, two shillings and six pence.  
 For every single hundred acres or lesser quantity surveyed by him, seven shillings and six pence.  
 For every tract of land above one hundred acres, for the first hundred seven shilling and six pence, and for every hundred above, the sum of three shillings.  
 For a whole lot, with return and plot, six shillings.  
 Which said fees respectively shall be paid upon their delivering up the draught or plot and return of the survey signed with

the surveyor's own hand to the owner or possessor of the said lands or lots and not before.

For searching for a warrant or return and copy thereof, each,  
one shilling and six pence.

For traveling charges, two pence per mile.

For a search, if not found, nine pence.

And the surveyor shall in fair books record the warrant, and shall duly prove the draughts and then record them.

For making a return of the proprietor's warrant after the survey into the secretary's office, recording the same and for a draught, six shillings and six pence.

Which fees as aforesaid are to be in full of all manner of fees that the surveyor or his deputies by any means whatsoever may hereafter pretend to claim or take for any matter or thing relating to his said office.

And that the fees belonging to each Chair-carrier shall be after the rate of three shillings per day, and the owner of the land to find a marker.

And that the collector of the King's Customs shall have for entering and clearing every vessel above thirty tons in full for all the necessary papers and other charges,

twenty-seven shillings.

And that the naval officer shall have for entering and clearing every such vessel, with all the necessary papers,

twenty-seven shillings.

And that the comptroller shall have for every ship or vessel above one hundred tons seven shillings and six pence, and for all other vessels above thirty tons, six shillings.

Provided always, That no shallop or boat passing between this province and the province of New Jersey, or the three lower counties of Newcastle, Kent and Sussex on Delaware, shall be liable to pay any reward for entering or clearing, and that one general permit for all goods shipped on board such shallows or boats, to be taken from the master's report, shall be sufficient.

[Section III.] Provided also, and be it enacted by the authority aforesaid, That if the naval officer shall refuse to cancel the plantation bond on return of certificate he shall be liable to pay double damages to the party aggrieved by such refusal.

And that the fees belonging to the Notaries Public shall be as follows, viz.:

For registering a bill of exchange, promissory note or bank note,  
one shilling and six pence.

For registering a foreign sea protest,  
seven shillings and six pence.

For registering a copy of such protest, &c., one shilling.

For registering an obligation, letter of attorney or writing of the usual length of one of these, with probate under seal and certificate,  
seven shillings and six pence.

For registering a bill of sale, probate, &c., six shillings.

For registering a foreign bill of exchange protested, with a certificate,  
five shillings.

For a certified copy of such protest, five shillings.

For drawing and registering a common sea protest (seal, &c.),  
fifteen shillings.

For drawing and registering a protest against merchant for detaining a ship beyond proper time, with answer and persistence to protest, with seal and registering, thirty shillings.

For a certified copy under seal of a common sea protest,  
ten shillings.

For a certified copy of protest against merchant, &c.,  
fifteen shillings.

For attestation to a letter of attorney under seal,  
four shillings and six pence.

For notarial affidavit to an account under seal, four shillings.

For protest of bill of exchange for non-acceptance or non-payment (or promissory note for non-payment) and registering, seal, &c.,  
six shillings.

And that the fees belonging to the Judge of the Admiralty shall be as follows, viz.:

For every final sentence or condemnation fee, twenty shillings.

For attesting all depositions, four shillings.

For every stipulation made before him, eight shillings.

And that the fees belonging to the Register of the Admiralty court shall be as follows, viz.:

For filing every libel, petition, answer, deposition or any other matter,  
one shilling and six pence.

For every matter entered in the minutes or on record, computing one hundred and five words to a side, and so <i>pro rata</i> per side,	one shilling and six pence.
For every copy of libel, petition, answer, depositions or any other matter, per side,	one shilling and six pence.
For every writ under seal, six shillings; except judicial writs, which are to be, per side,	one shilling and six pence.
For filing bill of cost,	one shilling and six pence.
For copy of bill of cost,	one shilling and six pence.
For entering and signing decree or judgment,	six shillings.
For attesting every evidence in court,	nine pence.
For issue and rule,	four shillings and six pence.
For drawing every deposition, per side,	one shilling and six pence.
And for every other service not herein-mentioned, per side, and <i>so pro rata</i> ,	one shilling and six pence.

And that the fees belonging to the Marshal of the Admiralty Court shall be as follows, viz.:

For serving every writ for seizing a vessel,	four shillings and six pence.
For serving every writ against the commander,	four shillings and six pence.
For subpoena, every witness,	two shillings.
For every <i>non est inventus</i> on writ of subpoena,	one shilling.
For attesting every evidence in court,	one shilling and six pence.
For subpoena appraisers,	seven shillings and six pence.
For every proclamation,	two shillings and six pence.
For serving every writ of attachment,	four shillings and six pence.
For every vessel acquitted,	ten shillings.
For any service when obliged to travel from home at the rate of three pence per mile, besides ferriages and necessary expenses, to be allowed by the judge on proof being made thereof.	

And if any attorney-general, clerk of any of the said courts or other person draw any indictment or information defective, they shall draw new bills or informations gratis or forfeit five pounds, with full costs, to be recovered as hereafter-directed.



[Section IV.] And be it further enacted by the authority aforesaid, That all and every the respective officers and attorneys-at-law whose fees are hereinbefore respectively ascertained, limited and appointed shall and are hereby required to make fair tables of their fees respectively according to this act, and to publish and to set up the same in manner following, viz.: The fees of the respective courts in the said courts from time to time during the sitting of the said courts, and the fees of other officers in their respective offices within three months after the publication hereof, where it shall be constantly exposed to view and inspection of all persons who have business in the said office.

And if any attorney-at-law or officer hereinbefore-mentioned shall neglect or delay to make and set up the tables of their fees as hereinbefore limited and appointed by this act, or shall by color of any law, custom or usage of this province or Great Britain, take, directly or indirectly, any more, greater or other fees than is hereinbefore appointed for the doing, acting or performing any of the matters or things hereinbefore enumerated, or shall make demand of any fees without giving the party of whom such fees shall be demanded a bill of particulars, signed by him if required, or shall refuse upon demand to give the party a receipt or discharge under his hand for the fees upon payment thereof, every such person or officer shall forfeit and pay for the first of every such offense the sum of ten pounds current money of this province and for the second offense the sum of twenty pounds money aforesaid one-half to the governor for the support of this government, and the other half to him or them that shall sue for the same, which, with the penalties and forfeitures aforesaid, shall be recovered in any court of record within this province, by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law or more than one imparlance shall be allowed, and for the third and every other offense be displaced or removed out of his office if held by commission under this government, any law, custom or usage to the contrary notwithstanding.

And it shall and may be lawful for any person to refuse payment of fees to any such officer who shall neglect to set up in his office the table of his fees as hereinbefore enjoined.

[Section V.] And be it further enacted by the authority aforesaid, That no attorney or practitioner at law shall be admitted to make any plea at the bar (except in his own case) without taking the following qualification by oath or affirmation, viz.:

Thou shalt behave thyself in the office of attorney within the court according to the best of thy learning and ability, and with all good fidelity, as well to the court as to the client: Thou shalt use no falsehood, nor delay any person's cause for lucre or malice.

[Section VI.] And be it further enacted by the authority aforesaid, That from and after the publication of this act the several laws of this province for regulating and establishing fees, made and passed in the ninth year of the reign of the late Queen Anne and the first and ninth years of the reign of King George the First, and every article, clause or thing therein or in any of them contained, shall be and are hereby repealed and made void to all intents and purposes whatsoever.

Passed August 22, 1752. Confirmed by the King in Council May 10, 1753. See Appendix XIX, Section I.

As to Sections I-IV, see Acts of Assembly passed March 26, 1778, Chapter 793; September 9, 1778, Chapter 811; March 15, 1779, Chapter 825; March 16, 1779, Chapter 828; November 27, 1779, Chapter 875; March 17, 1780, Chapter 897; February 25, 1783, Chapter 1005; April 1, 1784, Chapter 1094; April 8, 1785, Chapter 1164; September 29, 1787, Chapter 1316; March 11, 1789, Chapter 1394; December 8, 1789, Chapter 1475; February 19, 1790, Chapter 1480; April 4, 1792, Chapter 1633; April 10, 1792, Chapter 1648. Repealed by the Act of Assembly passed April 20, 1795, Chapter 1863.

As to Section V, see note to the Act of Assembly passed May 22, 1722, Chapter 255; and the Act of Assembly passed April 14, 1834, P. L. 333.