

debility; and the grand jury have it in evidence, that such was the ruined state of his constitution from habitual intemperance and misery that he could not have long survived, even if provided with all the comforts of life. But there can be no doubt that from the state of destitution in which the prison then was, and still is, as regards the necessary bed-clothing, and the manner in which the heat is introduced into the cells from the stove in the centre of the ward, his death might have been accelerated; for the grand jury have called before them prisoners who were his companions in the cell, and are still in confinement, who must have suffered equally with the deceased at that particular period, which was the coldest experienced this winter, and they appeared robust and in good health.

The grand jury considered it their duty to examine the sheriff and his principal clerk upon the indictment in question, and from them learned that an application had been made to his Excellency the Governor-in-Chief as early as the 7th day of November last, being more than a month before Collins died, for the means of procuring firewood, blankets and bedding for the prisoners, which means were furnished only to the extent of 50 *l.* sterling, on the 12th of December, being two days after the death of Collins; a sum of 150 *l.* was subsequently received by the sheriff for these purposes; the whole of which sums have been already expended, and that functionary has been forced to make further advances from his private resources, although it would appear that he has not yet been reimbursed by the Legislature for a large amount previously advanced for the support of the prisoners.

The grand jury have visited the gaol and found the tenement in a state of dilapidation impossible for them to describe within the limits of a presentment. They would therefore urge the imperative necessity which exists for the removal of the prisoners to the new gaol, which the grand jury have ascertained by evidence might be ready early in April for their reception, provided the small amount of money required for its completion were advanced under the sanction of Legislative authority, or upon the responsibility of the Executive, and when that removal shall have been effected, the grand jury hope that the classification of prisoners, so frequently recommended by former grand juries, will be carried into effect.

Grand Jury Room, 10 March 1836.

(signed)

Austin Cu villier, foreman.
Charles Lambert Dumont.
J. A. Gagnon.
John Hittrick.
Etienne Guy.
E. M. Leprohon.
John Fisher.
Peter Morgan.

E. Masson.
O. Berthelet.
John Clarke.
T. Mitchell Smith.
P. E. Leclerc.
G. D. Arnoldi.
J. Jamieson.

(A true copy.)

(signed) *A. M. Delisle*, Clerk of the Crown.

NO 11.—TARIFF OF FEES.

Court of King's Bench, Wednesday, 7 June 1815.

Present:—The Honourable James Reid, the Honourable L. C. Foucher, Esquires, Judges.

WHEREAS an Act of the provincial Parliament, passed in the 41 Geo. 3, c. 7, clause 17, intituled "An Act to amend certain Forms of Proceedings in the Court of Civil Jurisdiction in this Province, and to facilitate the Administration of Justice," hath authorized this court to sit and establish such fees as may be reasonable and just to be taken by the several officers of this court, employed in and about suits at law; it is therefore ordered, that all rules and orders of this court heretofore made respecting the fees to be claimed and taken in this court by the officers of the same be, and the same are hereby rescinded, (except the fees allowed to the bailiffs by the order of the 20th February last, which said order continues to remain in force,) and that the said officers who may be employed in any civil suit now pending, or hereafter to be prosecuted or defended in this said Court, shall and may claim and take the respective fees hereafter mentioned to be taxed in any suit for several duties and services performed in such suits, and no others, under the penalty of a contempt of the court, and being further liable to the party injured for his damages in that respect ascertained.

SHERIFF'S FEES.

	£.	s.	d.
Art. 1. For the service of every writ of summons, including a copy of the same, in personal actions, not exceeding 20 <i>l.</i> currency - - -	-	5	-
Art. 2. For the like, in actions above 20 <i>l.</i> currency, and not exceeding 30 <i>l.</i> currency - - -	-	6	8
Art. 3. For the like, in actions above 30 <i>l.</i> currency, and in real and mixed actions - - -	-	8	4
Art. 4. For every additional copy, when more than one defendant, one-half more.			