

all matters relating to the Erection and Completion of the said Gaol and Court House.

II. *And be it further enacted by the authority aforesaid,* That in case any vacancy shall occur from the death, or removal out of the District, of any one or more of the Commissioners appointed by this or any other Act, or by the refusal of any one or more of them to act, then and in such case, the Governor, Lieutenant Governor, or Person Administering the Government, on such vacancies being certified to him by the other Commissioners, or a majority of them, is hereby authorised and required to fill up such vacancies.

In case of death, refusal to act, or removal from the District of any Commissioner, Governor may fill up such vacancy.

CHAP. VI.

AN ACT to indemnify the Magistrates of the Newcastle District, and to authorise them to raise a Loan, on the Credit of the Funds of the said District, to complete a Building Erected at the Village of Amherst as the Gaol and Court House of the said District.

[Passed 16th March, 1831.]

WHEREAS it appears that from the state of the Gaol and Court House for the District of Newcastle, it is expedient and necessary to provide a more sufficient Building for the safety and comfort of Prisoners, and for the accommodation of the Courts of Justice held within the said District; *And whereas* it appears by the Petition of the Magistrates and Inhabitants of the Newcastle District, that the Magistrates thereof have contracted for the Erection of a Gaol and Court House at Amherst, in the Township of Hamilton in the said District, but that the legal Assessments will not enable them to discharge the amount for which they have contracted with suitable promptness; *And whereas* the Magistrates of the said District have expended a large sum of Money of the Funds of the said District, in part payment of the said contract; *Be it therefore enacted* by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Go-

Preamble.

Gaol now building to be deemed the legal Gaol of the District.

Magistrates of the District indemnified for the illegal expenditure of the money heretofore applied towards erecting a new Gaol.

Funds of the District may be applied towards erecting the new Gaol, not exceeding the sum of £6000.

Loan authorised not exceeding £2,500.

Interest not to exceed Six per Cent. and not less than £300 per annum to be applied towards the liquidation of such Loan.

vernment of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and by the authority of the same, That the Building so contracted for as aforesaid shall, when completed, be deemed and taken to be the legal Gaol of the said District: *And whereas* the Money so applied as aforesaid in part payment of the said contract was not authorised by Law: *And whereas* it is necessary and expedient to indemnify the said Magistrates for the expenditure of the same: *Be it therefore further enacted by the authority aforesaid*, That the sum of Money so expended as aforesaid shall be deemed and taken to be a legal expenditure and application of the Funds of the said District.

II. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Justices of the Peace in and for the said District, in General Quarter Sessions assembled, and they are hereby authorised and required to apply towards the expense of Erecting and completing the said Building as such Gaol and Court House, all such Monies arising from such Rates and Assessments as now are, or may come into the hands of the Treasurer of the said District and applicable to the uses of the same, not required for the ordinary and incidental expenses of the said District: *Provided always*, that nothing in this Act contained shall authorise the application of a greater sum than Six Thousand Pounds, including the sum already expended in the Erecting and completing the said Gaol and Court House.

III. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Justices of the Peace in and for the said District, in General Quarter Sessions assembled in April next, and they are hereby required, by an Order of the said Court to authorise and direct the Treasurer of the said District to raise by Loan, from such person or persons, bodies Politic or Corporate, who may be willing to lend the same on the Credit of the Funds of the District, a Sum, not exceeding Two Thousand Five Hundred Pounds, to be applied in the Building and completing the said Gaol and Court House.

IV. *Provided always, and be it further enacted by the authority aforesaid*, That the Money so borrowed under the authority of this Act shall not bear a greater Interest than Six per Centum per annum, and that the Treasurer of the said District, for the time being, shall annually, until the Loan so raised with the Interest accruing thereon shall be paid and discharged, apply towards the payment of the same a sum not less than Three Hundred Pounds, from and out of the Rates and Assessments so coming into his hands for the use of the District as aforesaid, together

with all such Monies as may remain in his hands after the payment of the ordinary and incidental expenses of the year.

V. *And be it further enacted by the authority aforesaid, That the Treasurer of the said District shall not receive any percentage for any sum or sums of Money which may be loaned under the authority of this Act and which may come into his hands, or for paying out the same in fulfilment of the contract aforesaid.*

Treasurer not to receive per Centage on money loaned.

CHAP. VII.

AN ACT to Erect the County of Prince Edward into a Separate District.

[Passed 16th March, 1831.]

WHEREAS from the peculiar situation of the County of Prince Edward in the Midland District of this Province, and from various other causes, it has become expedient to erect the said County into a Separate District: *Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'"* and by the authority of the same, That so soon as the Governor, Lieutenant Governor, or person Administering the Government of this Province for the time being, shall be satisfied that a good and sufficient Gaol and Court House has been erected therein for securing Prisoners, and for accommodating such Courts as shall or may be held within the said County, it shall and may be lawful to and for the Governor, Lieutenant Governor, or person Administering the Government of the said Province for the time being, by and with the advice of His Majesty's Executive Council in this Province, to declare by Proclamation the said County of Prince Edward a separate and distinct District, by such name as He shall think fit: *Provided nevertheless, that nothing in this Act contained shall affect, or be construed to affect, the Jurisdiction of His Majesty's Court of King's Bench in this Province, or to make it necessary*

Preamble,

The County of Prince Edward may by Proclamation be declared a separate District so soon as a Gaol and Court House shall be erected.

Not to affect the Jurisdiction of any Courts.