

Trustees authorised to stop up and sell old road;

Application being first made and obtained from the Quarter Sessions.

Commissioners authorised to extend branch of road to Newborough;

Satisfaction to be made owners for land appropriated;

Powers of Trustees limited as by provisions of former Act.

II. *And be it further enacted by the authority aforesaid,* That the said Trustees shall have power to stop up, sell, dispose of or surrender to any adjacent proprietor or proprietors, in lieu of damages which he, she or they, may claim, for injury sustained by virtue of the exercise of the powers given to the said Trustees in the said before recited Act, any road or roads, or any part of road or roads, which may be rendered useless and unnecessary for the public convenience and welfare, by reason of any alteration in the direction of the said road or roads, which the said Trustees, or a majority of them, may deem necessary and expedient: *Provided,* that before any such old line of road shall be stopped up, sold, disposed of or surrendered under this Act, a notice of an application for that purpose to the Court of General Quarter Sessions for the District of Johnstown, shall be first published, for two calendar months, in some newspaper printed in the said District; and it shall not be lawful to stop up, sell or surrender, such road, unless the Court of Quarter Sessions shall, after hearing any parties interested in the same, who may attend for that purpose, make an order allowing the said road, or any part thereof, to be stopped up, sold and surrendered.

III. *And be it further enacted by the authority aforesaid,* That the said Trustees shall have power to continue and extend a branch of the said road to the village of Newborough, in the township of North Crosby, and District of Johnstown: *Provided always,* that reasonable satisfaction be made to the owner or occupier of any lands or premises, for any damages done thereon or thereto, by virtue of this Act: *And provided also,* that all matters and things which shall or may be done by the said Trustees, in and by virtue of the powers herein and hereby conferred upon them, shall be subject to the same limitations, conditions, responsibility and trusts, as are contained in the before recited Act, any thing herein to the contrary notwithstanding.

## CHAP. XXXVI.

*AN ACT to authorise the Justices of the Peace of the District of Talbot to levy an additional Assessment, to liquidate the costs of the erection of the Gaol and Court House for that District, and other purposes therein-mentioned.*

[Passed 6th March, 1838.]

Preamble.

**WHEREAS** in the Act passed in the seventh year of the reign of William the Fourth, Chapter Thirty-three, entitled, "An Act erecting the

County of Norfolk into a separate District, by the name of the District of Talbot," no provision is made, by Assessment or otherwise, by which the loan authorised to be raised upon the credit of the said District of Talbot, for the purpose of erecting a Gaol and Court House therein, can be discharged, except from the public funds of said District, and it is proper to provide by special Assessment for that purpose, as prayed for by petition of the inhabitants of said County: *And whereas*, it is desirable for the more speedy liquidation of such loan, that authority be given for the sale of the site upon which a former Gaol and Court House was erected at the Village of Vittoria, in the said County: *Be it therefore enacted*, by the Queen'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 the Magistrates of and residing within the said District, shall have power, and they are hereby authorised, at a meeting to be convened for that purpose, to Resolve, that an increased Tax, not exceeding one half-penny in the pound, over and above the ordinary Assessment, on all ratable property within the said County, shall be levied, collected and applied, towards liquidating the loan authorised to be contracted by the said recited Act, for the purpose of building a Gaol and Court House in said District: *Provided always*, that such Resolution shall be adopted by a majority of at least two-thirds of the Magistrates of and residing within the said District, and that a copy thereof be transmitted to the Clerk of the Peace of the said District, signed by the Chairman of said meeting.

Magistrates authorised to levy additional tax, to be applied towards liquidating loan contracted for building Jail.

II. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the Clerk of the Peace of the said District, on receiving the aforesaid Resolution from the Magistrates, to add to the Assessment lists of the several Townships within the said District, an increased Tax in conformity with the said Resolution, furnished him as aforesaid; which increased Tax shall continue to be levied and collected annually, and applied for the purposes aforesaid, until the whole of the debt contracted by the erection of the new Court House and Gaol in the said District of Talbot, with the interest arising thereon, shall be fully liquidated and paid.

Assessment lists to be prepared by Clerk of Peace.

III. *And be it further enacted by the authority aforesaid*, That the Magistrates of the said District of Talbot, or a majority of them, at any

Magistrates in General or adjourned Quarter Sessions authorised to sell the site of the late Jail, and apply proceeds in payment of debt contracted in building new Jail.

General or Adjourned Quarter Sessions of the Peace assembled, shall be and are hereby authorised to order the sale, in any way that they may think most advantageous for the purpose, of the site of the late Gaol and Court House erected at Vittoria, in the County of Norfolk aforesaid, and to apply the proceeds arising from such sale, towards the payment of the debt contracted in building the said Gaol and Court House in the said District of Talbot.

Clerk of the Peace required to execute deed of conveyance to purchasers of site of old Jail.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Clerk of the Peace of the said District, and he is hereby required, to sign, seal and deliver, a good and sufficient deed of conveyance of the said site, upon which the Gaol and Court House was formerly erected in the Village of Vittoria, in the Township of Charlotteville, in the said County of Norfolk, at such times and in such lots, and to such persons as the Magistrates of the said District, in General Quarter Sessions assembled, shall at any time order and direct; which deed of conveyance, when executed, shall convey the lands mentioned therein to the purchasers thereof, according to the terms and conditions therein expressed, freed and discharged from all trusts whatsoever, under and by virtue of which the said premises are now held by the persons to whom the same were conveyed.

Proceeds of sale of old site to be paid into hands of Treasurer of District.

V. *And be it further enacted by the authority aforesaid,* That the purchase money arising from the sale of the aforesaid site shall be paid into the hands of the Treasurer of said District of Talbot, to be applied towards the liquidation of the loan to be contracted as aforesaid, and for no other purpose.

## CHAP. XXXVII.

*AN ACT to provide for the erection of a new Gaol at the Town of London, in the District of London.*

[Passed 6th March, 1838.]

Preamble.

**W**HEREAS the Gaol at the Town of London, in the District of London, is insufficient, and it is expedient that a new Gaol should be erected for the said District: *Be it therefore enacted,* by the Queen'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