

Laws of Her Majesty's Province of Upper Canada, passed in the year 1838. York: Robert Stanton, 1838.

1 Victoria – Chapter 36

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.

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.

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, on 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.

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 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.

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.

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.