

purchase of a suitable site and the erection of a new Gaol, and payment of incidental expenses incurred in regard to the same, such surplus shall be invested in such manner as the Governor and Council for the time being may direct; the interest on such investment to be applied by the said Municipal Council in the maintenance of the said Gaol, or repair or extension of the same, rendering to the Provincial Parliament an annual account thereof.

## C A P . C X X X I X .

An Act to authorize the County of Welland Municipal Council to purchase certain lands in the said County, known as the Great Cranberry Marsh, and for other purposes.

[ 30th August, 1851. ]

**W**HEREAS the Municipal Councils of several Municipalities in the County of Welland have prayed, by their petitions to the Legislature in that behalf, that the Provisional or other Municipal Council of the County of Welland may be authorized to purchase a certain tract of land, known as the Great Cranberry Marsh, lying principally in the Townships of Wainfleet and Humberstone, for the purpose of draining and improving the same, and disposing thereof for the benefit of the said County, and it is expedient to authorize the said County Council to purchase the said Marsh, and to grant them such further powers as may be most conducive to the advantage of 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 of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the Commissioners or Building Committee, now appointed by the Provisional Municipal Council of the said County of Welland, that is to say: John Fraser, Robert Hobson, John Radcliffe, David P. Brown and John Graybiel, Esquires, shall have full power and authority for and in the name of the said County, and for the benefit thereof, to purchase or otherwise acquire from the Government of this Province, all or any part of the said tract of land, lying principally within the Townships of Wainfleet and Humberstone, and known as the Great Cranberry Marsh; and that on such purchase being completed, the said land shall become vested in the said County Council of Welland, to be improved and disposed of by them by sale of the fee or by lease, and for such purpose as the said Council shall by By-law or By-laws determine.

Preamble.

Certain persons authorized to buy the marsh for the County, and to drain it.

II. And be it enacted, That so soon as may be after the passing of this Act, a Survey shall be made at the expense of the Provisional Municipality of the County of Welland, of the River Chippewa, by any Officer or Engineer to be appointed by the Commissioners of Public Works for that purpose, with a view to ascertain whether the navigation thereof will not be affected by lowering the water of the said River for the purpose of draining the lands bordering on the said River, and in the event of his making a Report in favor of the said improvement, the said Provisional Municipal Council of the said County of Welland shall also have power to make By-laws for the purpose of lowering, by not more than three feet, the quantity of water in the said River, and to levy, by assessment, upon the owners of lands benefitted thereby, the sums necessary to cover the expense of the said undertaking.

A Survey to be made of the River Chippewa, with a view to draining the lands bordering thereon.

III. And be it enacted, That the said Commissioners or Building Committee, or the said County Council of Welland, shall make the purchase or other acquisition of the said land at or before the end of the next Session of the Provincial Parliament.

Time of purchase limited.