



BY AUTHORITY.

ANNO TRICESIMO QUARTO VICTORIÆ REGINÆ.

CAP. XII.

An Act to amend an Act intituled "An Act to remove the Shire Town of King's County to a more convenient locality," and to establish the Gaols of the Counties of Saint John and Westmorland respectively as the Gaol of King's County.

Sec.	Sec.
1. Gaols of certain Counties used.	9 & 10. Fees and expenses of Sheriffs, &c.
2. Laws, usages, &c., of King's County Gaol, to apply to Saint John and Westmorland Gaols.	11. Where prisoners under trial may be confined.
3. Authority to pull down old Gaol.	12. Extent of Gaol limits.
4. New Gaol, how built.	13. When Sheriff shall remove prisoners.
5. Prisoners, where removed.	14. When Sheriff not liable for escape.
6. Prisoners may be brought by Warrant from Saint John or Westmorland.	15. House to be provided for Gaoler.
7. Gaolers of Saint John and Westmorland to receive prisoners from King's County; expenses of prisoners, how paid.	16. Cost of removing materials, how paid.
8. Powers of Sheriff of King's while removing prisoners.	17. Limit of Act.
	18. Sections 10 & 11, 33 Vic. c. 50, in part repealed.
	19. Acts repealed.

Passed 17th May 1871.

WHEREAS the Sessions of King's County have appointed a Building Committee, consisting of the following persons, viz:—Robert M'Culley, Nelson Arnold, George Barnes, J. D. Micheau Keator, and Samuel N. Freeze, and have given them authority to act in certain cases in erecting a Court House and Gaol in the Parish of Hampton, in King's County aforesaid, under an Act of Assembly passed in the thirty third year of the Reign of Her present Majesty;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That from and after the passing of this Act, the Gaols of the Counties of Saint John and Westmorland respectively shall be the gaol of King's County, any law, custom or usage to the contrary notwithstanding.

2. That all laws, customs and usages now in force relating to the present gaol of King's County, and the use of the same, shall equally apply and be in force, so far as the same may be applicable to the gaol of King's County established by this Act, in the Counties of Saint John and Westmorland.

3. It shall and may be lawful for the said Robert M'Culley, Nelson Arnold, George Barnes, J. D. Micheau Keator, and Samuel N. Freeze, as the Building Committee of the Sessions of King's County, or a majority of them, to take down and remove the materials of the present gaol of King's County, to the site selected at or near the Hampton Railway Station, in the Parish of Hampton, King's County; and the said Building Committee are hereby authorized to contract or agree in the name and on behalf of the Sessions of King's County, with any person or persons to so take down and remove the materials of the present gaol of King's County to said site, or for any portion of said work.

4. The new gaol for King's County shall be built and constructed out of the materials of the old gaol, with such additions as shall be considered necessary by the Sessions of King's County, and the same shall be built and completed in all other respects as is provided by the said Statute 33rd Victoria, Chapter 50.

5. That the Sheriff of King's County, coroner, constable, peace, or other officer, is hereby authorized to remove all prisoners that may now be confined in the gaol of King's County, or that hereafter may be arrested, detained or imprisoned by virtue of any civil or criminal process issued out of any of the Courts of this Province in King's County during the removal and rebuilding of the said new gaol at Hampton aforesaid, and also during the continuance of this Act, to either of the gaols of the Counties of Saint John or Westmorland respectively, as such Sheriff or his deputy, or other officer executing such process, shall think fit, and to confine such prisoners in either of such gaols as he shall think proper.

6. The Judges of the Supreme Court at any Circuit Court in and for King's County, the Judge of the County Court of King's County, and any Justice of the Peace in and for said County, are hereby respectively authorized by warrant in writing to command the Sheriff of King's County, or other legal officer, to bring all prisoners held for trial or examination at either of their said Courts, or before any Judge or Justice, from either of the gaols of Saint John or Westmorland Counties respectively, and such warrant shall be sufficient authority to the said Sheriff, or other officer, to bring any such prisoners from either of the said gaols of Saint John or Westmorland Counties to and into King's County; and the said Judges or Justices, by a like warrant, shall also have power to remand the said prisoners, or any other prisoner, to either of the said gaols.

7. The Sheriff, gaoler or other officer having charge of either of the gaols of the Counties of Saint John or Westmorland, are hereby authorized and directed to receive all such prisoners, and are hereby made chargeable with the custody of the same; and the expense of maintaining the prisoners so removed and confined as aforesaid, and a proportionate share of the expense of the general management of the gaol in which such prisoners may be confined during the period of such confinement, to be ascertained and agreed upon between the Sheriff of King's County and the Sheriffs of Saint John and Westmorland, as the case may be, shall be charged to and payable by King's County, and shall be payable in the same manner as the other contingencies of King's County, out of the County funds of said County.

8. That the Sheriff of King's County, or other officer, while performing their duty of removing and conveying prisoners to the gaols of Saint John or Westmorland as provided for by this Act, and while in the discharge of their duties in the said Counties of Saint John and Westmorland, are hereby entrusted and empowered with the same authority, privileges and power as if they were acting in the exercise of their respective duties within the limits and boundaries of King's County.

9. That in the execution of any bailable writs, or writs of *capias ad satisfaciendum*, or other civil process, the said Sheriff of King's County, or other legal officer having authority to receive fees in such cases, shall be entitled to receive as his fees thereupon the sum of five cents per mile going and returning for every mile necessarily travelled by such Sheriff or officer in executing such bailable writs, or writs of *capias ad satisfaciendum*, or other process, the same to be computed from the site of the Shire Town as established at Hampton, in King's County, under the provisions of the Act hereinbefore referred to, and the said fees or mileage shall be