

Sessions in Upper Canada now have and can perform and exercise and are now subject to; and all the privileges, protections and provisions of law applicable to such Constables, shall extend and apply to Constables appointed by a Stipendiary Magistrate under this Act; and the lawful fees and expenses of such last named Constables, other than the fees they may be entitled to receive from parties, shall be audited by the Stipendiary Magistrate, and paid out of the Consolidated Revenue Fund of this Province in such manner as the Governor of this Province may from time to time direct.

Audit and
payment of
Constables.

VII. If any Constable appointed under the authority of this Act shall be guilty of any disobedience of orders, neglect of duty, or of any misconduct as such Constable, and shall be convicted thereof before the Stipendiary Magistrate for the temporary Judicial District, or before any Justice of the Peace acting therein, he shall forfeit any sum not exceeding ten pounds, and in default of immediate payment thereof, shall suffer imprisonment for any time not exceeding three months; Provided that nothing herein contained shall prevent any such person from being proceeded against by way of indictment for any offence committed by him as Constable, so as that no person be proceeded against both by Indictment and also under this Act for the same offence.

Punishment of
Constables
misbehaving.

Proviso.

VIII. The Governor may from time to time direct that one or more suitable erections shall be provided by the Commissioner of Public Works in each temporary Judicial District for the safe custody of prisoners charged with crime or convicted of any offence, and every erection so provided shall be deemed to be a Common Gaol, and the Common Gaol of such temporary Judicial District respectively; Provided always that criminal offenders fully committed for trial, upon indictment to be preferred, shall as heretofore be committed to the Common Gaol of the proper County in this Province, to be dealt with according to law, and shall not be detained in the Common Gaol of any temporary Judicial District an unreasonable time, regard being had to the season of the year and the possibility of travelling at the time of his commitment as aforesaid; and until such erections shall be provided it shall be lawful to commit offenders to any suitable place within the temporary Judicial District.

Temporary
Gaols to be
provided.

Proviso :
against unne-
cessary deten-
tion therein.

IX. A keeper shall from time to time be appointed by the Stipendiary Magistrate to every Common Gaol in his temporary Judicial District, and such Gaol-keeper shall perform all such duties, and be under and subject to all the liabilities that the Gaoler of the Common Gaols in the several Counties in Upper Canada now perform and are subject to, and shall give such security for the due performance of the duties of his office as the Governor shall from time to time prescribe; and every such Gaol-keeper shall be paid out of the Consolidated Revenue Fund of this Province such sums of money annually as the Governor may think reasonable for the services performed.

Keeper of the
Gaol.

His remun-
eration.