

Persons
inciting
Indians, &c.
to the com-
mission of
certain
offences how
punishable.

9 Vict. c. 41.

Persons
accused or
convicted of
crimes in any
such P. J.
District may
be committed
to any Gaol
in U. C.

IX. And be it enacted, That any person inciting Indians or half-breeds frequenting or residing in such tracts of country as aforesaid, to the disturbance of the public peace or to the commission of any other indictable offence, shall be guilty of a felony, and upon conviction thereof shall be sentenced to imprisonment for not more than nor less than years in the Provincial Penitentiary : and that for and notwithstanding any thing to the contrary contained in an Act of the Parliament of this Province passed in the ninth year of Her Majesty's Reign, intituled "*An Act to provide for the appointment of Magistrates for the more remote parts of this Province,*" or in any other Act or law in force in Upper Canada, persons accused of inciting Indians or half-breeds as aforesaid, or accused or convicted of any other crime or offence in any such Provisional District as aforesaid may be committed to any Common Gaol in Upper Canada; and it shall be lawful for the Constable or other officer having charge of such person and entrusted with his conveyance to any such Common Gaol, to pass through any County or Counties in Upper Canada with such person in his custody, and for the keeper of the Common Gaol of any County or Union of Counties in Upper Canada in which it may be found necessary to lodge for safe keeping any such person as aforesaid, so being conveyed through such County or Counties in custody as aforesaid, to receive such person, and him safely to keep and detain in such Common Gaol for such period as may be reasonable or necessary, and for the keeper of any Common Gaol in Upper Canada, to which any such person may be committed as aforesaid to receive such person and him safely to keep and detain in such Common Gaol under his custody until discharged in due course of law, or bailed in cases in which bail may by law be taken.

Com-
missioners of
Public Works
to provide
buildings to
be used as
Gaols and
Court
Houses.

Proviso.

X. And be it enacted, That it shall be the duty of the Commissioners of Public Works, acting under such directions as they may from time to time receive from the Governor in Council, either by hiring, or purchasing or erecting the necessary buildings, to provide accommodation for the holding of Courts as aforesaid, and also to provide a Gaol or Lock-up house or other place for the safe custody of Prisoners, in each such Provisional Judicial District as aforesaid; and the buildings so hired, purchased, or erected, shall be and be deemed the Court Houses and Gaols of such Provisional Districts as aforesaid, respectively, for the time being; and the expense of such hiring, purchasing or erection shall be defrayed by the Governor out of any unappropriated moneys in the hands of the Receiver General, forming part of the Consolidated Revenue Fund of this Province: Provided always, that the cost of the buildings purchased or erected, in any one Provisional Judicial District under the provisions of this Section, shall not exceed one thousand pounds.