



ANNO DECIMO ET UNDECIMO
VICTORIÆ REGINÆ.

CAP. XXXIX.

An Act to divide the Western District of the Province of Canada, and for other purposes therein mentioned.

[9th July, 1847.]

WHEREAS from the increase of the population of the Western District, its geographical position and its vast resources in fertility of soil and inland navigation, and the great distance of many parts thereof from the District Town, it is expedient to erect the County of Kent in the said District into a separate District, and to make other changes with regard to the said District hereinafter mentioned, and for which the inhabitants thereof have by petition prayed: 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 Township of West Tilbury shall from and after the passing of this Act be united to and form part of the County of Essex to and for all intents and purposes whatsoever.

Preamble.

West Tilbury
to form part of
the County of
Essex.

II. And be it enacted, That so soon as the Governor, or person administering the Government of this Province for the time being, shall be satisfied that a good and sufficient Gaol and Court House has been erected in the Town of Chatham, in the County of Kent, for the security of prisoners, and for accommodating such Courts as shall or may be held within the said County of Kent, it shall and may be lawful for the Governor, or Person administering the Government of this Province for the time being, by and with the advice and consent of Her Majesty's Executive Council in this Province, to declare by Proclamation the said County of Kent to be detached from and to cease to be part of the Western District, and to be a separate and distinct District, by the name of "*The District of Kent*": Provided nevertheless, that nothing in this Act contained shall affect or be construed to affect the jurisdiction of Her Majesty's Court of Queen's Bench in Upper Canada, or to affect the jurisdiction of the Courts of General Quarter Sessions of the Peace, or District Court within the Western District, until the issuing of the Proclamation aforesaid: Provided also, that if at the time the said County shall be set off into a separate District, any suit or action shall have been commenced or be pending for any cause of action arising therein, or any indictment for any indictable offence that has been committed within the said County, the said action or indictment shall and may be tried at the next Assizes, or other Court

When certain
conditions are
complied with
the Governor
may set off the
County of
Kent into a
separate Dis-
trict.

Name.

Proviso as to
the jurisdiction
of certain
courts.

Proviso as to
actions pend-
ing when such
separate Dis-
trict shall be
proclaimed.

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