

This Act declared a public Act.

XII. *And be it further enacted by the authority aforesaid, That this Act shall be deemed and taken to be a public Act, and as such shall be judicially noticed by all Judges, Justices of the Peace, and other persons, without being specially pleaded.*

Legislature may make addition to, or alter this Act.

XIII. *And be it further enacted by the authority aforesaid, That notwithstanding the privileges hereby conferred, the Legislature may, at any time hereafter, make such addition to this Act, or such alterations of any of its provisions as they may think proper, for affording just protection to the public, or to the rights of private individuals.*

CHAP. LVI.

AN ACT to Incorporate certain persons therein-named as a Board of Trustees, for the erection, superintending and management, of a Roman Catholic College at Kingston, to be known by the name of "The College of Regiopolis," and for other purposes therein-mentioned.

[Passed 4th March, 1837.]

Preamble.

Recites conveyance of land by the Hon. and Right Rev. the Roman Catholic Bishop of Kingston, for the use and support of Roman Catholic Seminary at Kingston, to Trustees.

WHEREAS, by the Petition of the Reverend Angus McDonell, one of the Trustees hereinafter mentioned, it appears that the Honorable and Right Reverend Alexander McDonell, Roman Catholic Bishop of Kingston, hath, by Deed bearing date the twenty-sixth day of January, in the year of our Lord one thousand eight hundred and thirty-five, conveyed and transferred to, and vested in the Right Reverend Remigius Gaulin, Bishop of Trabacca; the Very Reverend Angus McDonell, of Sandwich, in the Western District; the Reverend John Cullen, late of Bytown, in the Bathurst District; the Honorable John Elmsley, of the City of Toronto, in the Home District; and Walter M'Cuniffe, of the Town of Kingston, Esquire, and their Successors, a certain piece of Ground, containing three acres and three fifths, known as part of Park Lot number One, adjoining the Town of Kingston, (and now included therein, and now called the Park of Selma, and in the said deed more particularly described,) in trust, for the erection, use and support, of a Roman Catholic Seminary, in the said Town of Kingston: *And whereas*, by the said Petition, Legislative authority is requested to enable the Trustees above-named, and their Successors, to be elected and appointed in the manner described in the said Deed, to take and hold the said Land, as a Corporate Body, in perpetuity, for the purposes aforesaid: *Be it therefore enacted*, by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council

and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, “An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty’s reign, entitled, ‘An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,” and by the authority of the same, That it shall and may be lawful for the said Remigius Gaulin, Angus McDonell, John Cullen, John Elmsley, and Walter M’Cuniffe, to hold, receive and take, the said piece or parcel, conveyed to and vested in them, or intended so to be by the said Deed, as Trustees for the erection, support and maintenance, of a Roman Catholic Seminary, under such prudential Rules and Regulations as may, from time to time, be made and ordained by them and their Successors, as such Trustees, as aforesaid, for the good order, direction and government of the same.

Trustees incorporated.

II. And in order to prevent the failure of such estate in succession, *be it further enacted by the authority aforesaid*, That whenever it shall happen, that any one or more of the Trustees herein-named shall die or become resident abroad, or shall resign his trust, or become incapable of acting therein, it shall and may be lawful for the remaining Trustees, and they are hereby authorised and required, within three calendar months after the happening of such vacancy or vacancies, to elect and appoint others, being Clergymen of the Roman Catholic Religion, resident in the Province of Upper Canada, to complete the number of five Trustees, for the purposes aforesaid, in accordance with the terms and provisions of the said Deed of Conveyance, and that all vacancies that shall, from time to time, happen in and among the said Trustees, shall be filled up in like manner: *Provided always*, that the omission to elect and appoint new Trustees, upon vacancies happening, as aforesaid, shall not operate as a forfeiture of the said Land.

Manner of filling up vacancies among Trustees.

Omission to appoint Trustees not to operate as a forfeiture of land.

III. *And be it further enacted by the authority aforesaid*, That the present Roman Catholic Bishop of Kingston, during his natural life, and the Roman Catholic Bishop of Kingston, for the time being, shall be ex-officio Trustees, under this Act, and invested with such power and authority in relation to the management of the said Land, and of the Seminary to be erected thereon, as is in the said Deed declared and set forth.

Roman Catholic Bishop of Kingston, Ex-officio Trustee.

IV. *And be it further enacted by the authority aforesaid*, That they, the said Trustees, in this Act mentioned, and their Successors to be appointed in manner aforesaid, shall be, and are hereby declared to be, one Body

Trustees declared to be a Body Corporate.

Corporate and Politic, in Deed and in Law, by the name of “The College of Regiopolis,” and shall have perpetual succession, and a Common Seal, with power to change, alter, break or make new, the same; and they and their successors, by the name aforesaid, may have and hold the said piece or parcel of Land, in the said Deed mentioned, in perpetuity, for ever; and that they and their successors, by the name aforesaid, may sue and be sued, implead and be impleaded, answer or be answered unto, in all or any Court or Courts of Record, and places of Jurisdiction within this Province; and that they and their successors, by the name aforesaid, shall be able and capable, in Law, to have, hold, receive, enjoy, possess and retain, for the end and purposes of this Act, and in trust and for the benefit of the said Seminary, all such sum and sums of money, as shall, at any time or times hereafter, be paid, given, devised or bequeathed, by any person or persons, to and for the ends and purposes in this Act mentioned.

Trustees to have power to make rules and regulations.

V. *And be it further enacted by the authority aforesaid*, That the Trustees for the time being, for the purposes of this Act, shall have power at all times hereafter, to make such Rules and Regulations, not repugnant to the Laws of this Province, as may be necessary for the due management of the said Land, and also of the Roman Catholic Seminary to be erected thereon.

CHAP. LVII.

AN ACT to provide for a Survey of the Ottawa River, and the Country bordering on it, together with the Country and Waters lying between that River and Lake Huron.

[Passed 4th March, 1837.]

Preamble.

WHEREAS it is highly important to the Commercial interests of this Province, that the River Ottawa, and its tributary Streams, and the Country lying between the River Ottawa and Lake Huron, be Surveyed, and efficient measures taken to ascertain the practicability of making a Navigable Communication between the two Waters: *And whereas*, it is necessary to provide for the expense of such Survey: *Be it therefore enacted*, by the King’s most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, “An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty’s Reign,