

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1835. Toronto: Robert Stanton, 1835.

5 William IV – Chapter 42

**An Act granting a sum of Money for the further completion of the Kingston Penitentiary, and for other purposes therein mentioned. Passed 16th April, 1635.**

Whereas it is expedient to proceed with the construction of the Penitentiary which has been commenced near Kingston, so far as may be requisite for the safe keeping of the Convicts that may be sentenced during the present year to imprisonment therein, and for the accommodation of the Officers and Keepers, and the due enforcement of discipline; And whereas it is also necessary to provide Funds for the clothing, lodging and maintenance of the Convicts, and for the payment of the Officers, Watchmen and other persons employed in the guarding and government and police of the said Penitentiary: 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 to and for His Majesty's Receiver General for this Province, and he is hereby required, from and out of the rates and duties now levied and collected, or hereafter to be raised, levied and collected, and remaining in the hands of the said Receiver General unappropriated, to discharge such Warrant or Warrants as shall from time to time be issued by the Governor, Lieutenant Governor, or person administering the Government of this Province, in favor of the Board of Inspectors of the said Penitentiary, by whom the money so obtained on such Warrant or Warrants shall be applied in completing and furnishing as many Cells as may be required, before the next Session of the Legislature, for the confinement of Convicts; in clothing, feeding, lodging and furnishing employment for Convicts; in paying the Salaries and Wages of Officers, Keepers and Watchmen; in building the Walls and roofing the North Wing of the said Penitentiary, and so far completing the Hospital, Mess-Room, Kitchen and Offices therein, as may be found immediately necessary, and in enclosing the Prison Yard with a temporary wooden fence: Provided always, and be it further enacted by the authority aforesaid, That the said money shall not exceed in amount the sum of Three Thousand Pounds.

II. And be it further enacted by the authority aforesaid, That the duties hitherto performed by the Commissioners appointed by the Act passed in the Third year of His Majesty's Reign, entitled, "*An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned,*" be hereby transferred to, and be assumed and in future performed by the Board of Inspectors and Warden, appointed or to be appointed, in conformity to an Act passed during the last

Session of the Provincial Parliament, entitled, "*An Act to provide for the Maintenance and Government of the Provincial Penitentiary, erected near Kingston, in the Midland District.*"

III. And be it further enacted by the authority aforesaid, That an account in detail of the expenditure which may be incurred under this Act, shall be submitted to the Governor, Lieutenant Governor, or person administering the Government of this Province, at the next Session of the Legislature, and the monies paid by the Receiver General on such Warrant or Warrants as shall be issued under the authority of this Act, shall be accounted for to the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his Heirs and Successors shall be graciously pleased to direct.