

To make By-laws. for the conduct and government of the said College and the Corporation thereof, and the superintendence, advantage and improvement of all the property, moveable or immoveable, belonging to or which shall hereafter belong to the said Corporation, and shall have power to take under any legal title whatsoever, and to hold for the said College without any further authorization or letters of mortmain all land and property, moveable or immoveable which may hereafter be sold, ceded, exchanged, given, bequeathed or granted to the said Corporation, or to sell or alienate the same if need shall be : Provided always, that the net rents, issues and profits arising from the immoveable property and territorial acquisitions of the said Corporation, shall not at any time exceed the annual sum of two thousand pounds, current money of this Province ; and the said Corporation shall further have the right of appointing an Attorney or Attornies for the management of their affairs, and generally shall enjoy all the rights and privileges enjoyed by other bodies politic and corporate recognized by the Legislature.

To hold real property.

Such property not to exceed a certain value.

To appoint Attornies.

Revenues of the College how to be applied. II. Provided always, and be it enacted, that all the property which shall at any time belong to the said Corporation, as well as the revenues thereof, shall at all times be exclusively applied and appropriated to the advancement of Education in the said College, and to no other object, Institution or Establishment whatever.

Public Act. III. And be it enacted, that this Act shall be considered a Public Act, by all Judges, Justices of the Peace, and Officers of Justice, and by all other persons whomsoever, and shall be judicially taken notice of without being specially pleaded.

Rights not expressly affected to be saved. IV. And be it enacted, that this Act shall not extend to weaken, diminish or extinguish the rights and privileges of Her Majesty, Her Heirs and Successors, nor of any other person or persons, body politic or corporate, excepting only such rights as are hereby expressly altered or extinguished.

C A P. LXIX.

An Act to render the Penitentiary erected near Kingston, in the Midland District, the Provincial Penitentiary for Canada.

[18th September, 1841.]

Preamble. **W**HEREAS it is expedient that the Penitentiary erected near Kingston, in the Midland District, be made the Provincial Penitentiary for this Province

vince of Canada, so that convicts lawfully sentenced by any Court in that part of this Province called Lower Canada, to be imprisoned in the Penitentiary, may be conveyed to and confined in the Penitentiary aforesaid, during the term for which they may be respectively so sentenced; 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, intituled *An Act to Re-write 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 said Penitentiary shall hereafter be, and be called the Provincial Penitentiary of Canada; and that whenever any convict shall be lawfully sentenced by any Court in that part of this Province called Lower Canada, to be imprisoned in the Penitentiary, then the sentence shall be understood to mean the said Provincial Penitentiary, and the Sheriff having the lawful custody of the convict at the time of the conviction, shall upon an order from the Court before which the conviction shall have taken place, cause such convict to be conveyed by such persons as the Sheriff shall appoint, authorize and empower for that purpose, to the said Provincial Penitentiary, and shall cause him or her to be delivered into the custody of the Warden thereof, together with a certified copy of the sentence passed upon such convict, which shall for that purpose be furnished to the said Sheriff by the proper Officer with the order of the Court, as aforesaid; and the said Warden shall receive such convict into the said Penitentiary and shall safely keep him or her therein subject to the discipline thereof, until such sentence be executed or such convict be discharged in due course of Law: and the certificate of the Warden or assistant Warden of the delivery of such convict shall be a sufficient discharge and voucher to the said Sheriff, whose lawful and reasonable expenses incurred in the conveyance of such convict to the Penitentiary, aforesaid, shall be allowed him in his accounts with the Provincial Government, in the same manner and under the same provisions as other expenses by him lawfully incurred, and payable out of the public monies of the Province.

II. And be it enacted that the person or persons appointed, authorized and empowered by any Sheriff to convey any such convict, as aforesaid, to the said Penitentiary, shall, until the convict shall be delivered to the Warden thereof, and in all Districts or parts of this Province through which it may be necessary so to convey such convict, have the same authority and power over and with regard to such convict, and to command the assistance of any persons in preventing his or her escape, or in retaking him or her in case of an escape, as the Sheriff would himself have if lawfully conveying such convict from one part to another of the District in which he or she was convicted.

III.

The Penitentiary near Kingston, shall be the Provincial Penitentiary of Canada.

Convicts in Lower Canada, sentenced to the Penitentiary, may be sent to the said Penitentiary.

Duty and power of the Sheriff in such case.

Expenses incurred by the Sheriff to be allowed him.

Powers of the persons employed by the Sheriff, to convey any such Convict to the Penitentiary.

A certain Act of Upper Canada, for the Government of the said Penitentiary shall apply to Convicts imprisoned in it under this Act.

III. And be it enacted, that all the enactments and provisions of a certain Act of the Legislature of the late Province of Upper Canada, passed in the fourth year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to provide for the maintenance and government of the Provincial Penitentiary erected near Kingston, in the Midland District*, with regard to convicts imprisoned in the said Penitentiary shall apply to convicts imprisoned therein under the authority of this Act.

Name of the Warden changed.

IV. And be it enacted, that from and after the passing of this Act, the name of office of the Warden of the said Penitentiary, shall be "The Warden of the Provincial Penitentiary of Canada," by which name he shall be capable of suing and being sued in all Courts and places within this Province, in all matters concerning the said Penitentiary.

Inspectors to appoint a Deputy Warden.

V. And be it enacted, that so much of the Act last above cited as authorizes the appointment of a Deputy Warden of the said Penitentiary, shall be and is hereby repealed; and it shall be lawful for the Inspectors appointed or to be appointed under the authority of the said Act, or for a majority of them from time to time to appoint, and to remove, an Assistant-Warden of the said Penitentiary, who shall act under the control and superintendence of the Warden, and according to the direction he shall receive from him, and shall, whenever there shall exist a vacancy in the office of Warden, or when the Warden shall be absent from the Penitentiary, have all the powers which by the said Act were in like cases vested in the Deputy-Warden.

To be under the control of the Warden.

C A P. LXX.

An Act to extend and define the limits of the Town of Woodstock in the District of Brock.

[27th August, 1841.]

Preamble.

WHEREAS it is expedient to extend and define the limits of the Town of Woodstock, in the District of Brock; 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, intituled *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government*