

The Provincial Statutes of Lower-Canada, Being the second session of the thirteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1829.

9 George IV – Chapter 39

An Act to establish a certain Market Place, in the City of Montreal. (14th March, 1829.)

Whereas the Market Places heretofore established by Law within the City of Montreal, have been found insufficient for the convenience of the Inhabitants of the said City and of the Suburbs thereof; And whereas Francois Antoine Larocque, Jules Maurice Quesnel and Alexis Laframboise, all of the said City of Montreal, have by their Petition to the Legislature set forth that they have allotted a certain piece of ground situated at the place called Pres de Ville for the purposes of a Public Market Place, and have erected thereon the necessary Stalls and other Buildings, and by their said Petition have prayed that the same may be declared a Public Market Place, and as such placed under the control of the Magistrates of the said City of Montreal, and that the value of the ground occupied by the said Market Place and of the buildings by them erected thereon may be ascertained, and that the Revenues arising from the said Market Place may be appropriated and hypothecated for the surety of the just price thereof, and of the legal interest thereon: 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 Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, '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 it is hereby enacted by the authority of the same, that the said certain piece of ground allotted for the purposes of a Market Place by the said Francois Antoine Larocque, Jules Maurice Quesnel and Alexis Laframboise, shall be bounded and abutted as follows, that is to say, on the north east side by Cote Street, on the south west side by Chenneville Street, on the south east side by Vitree Street, enlarged to the width of thirty-six feet, and on the north west by the ground belonging to the said Francois Antoine Larocque, Jules Maurice Quesnel and Alexis Laframboise; and the said Market so bounded and abutted, shall be of the following dimensions, that is to say, the extent thereof on the said Cote Street and Chenneville Street between the said Vitree Street, so enlarged to the width of thirty-six feet as aforesaid, and the ground belonging to the said Francois Antoine Larocque, Jules Maurice Quesnel and Alexis Laframboise shall be one hundred and twelve feet, and the extent thereof on the said Vitree Street, and on the line opposite and parallel to it, between the said Cote Street and Chenneville Street shall be two hundred and fifty-one feet, it being well understood that of the said two hundred and fifty-one feet so allotted as the extent, of the said Market Place, fifteen shall make part of the said Chenneville Street for the purpose of increasing the width of the said Street to thirty feet instead of fifteen feet the present width thereof and the same shall be, and is hereby declared to be a Public Market Place, and as such shall be together with the Buildings

erected thereon, subject to the control of the Justices of the Peace residing in the said City of Montreal, to be by them in all respects whatsoever governed, ordered and regulated according to the Laws of this Province.

II. And be it further enacted by the authority aforesaid, that it shall be the duty of the said Justices of the Peace in weekly sitting within two months next after the passing of this Act, to give notice to the said Francois Antoine Larocque, Jules Maurice Quesnel and Alexis Laframboise or their Representatives of the intention of the said Justices to name jointly with them two EXPERTS for the purposes herein after mentioned, one of whom shall be named by the said justices and the other by the said Francois Antoine Larocque, Jules Maurice, Quesnel and Alexis Laframboise, or their Representatives within eight days after the said notice, which nomination shall be entered of record by the Clerk of the Peace, and which said Experts after having been sworn before the said Justices, shall with all due diligence View the said Market Place, and after such view shall estimate and declare the just and true value of the ground so marked out and allotted for a Market Place, and of the buildings thereon erected, with power to name a third Expert in case of difference of opinion, and shall make a report of the whole to the said Justices at one of the earliest weekly sittings of the Peace thereafter, and the value of the said ground, and of the Buildings thereon erected, so established by the said Experts, shall be held to be the true and just value thereof for all the purposes, of this Act, Provided always that in case the said Experts should be obliged to name a third as aforesaid, and should not agree in the selection of him, he shall be chosen by the Court of King's Bench for the District of Montreal upon the prayer or representation of any of the parties interested.

III. And be it further enacted by the authority aforesaid, that for the surety of the sum of money so ascertained to be the just and full value of the said ground and of the Buildings erected thereon, and for, the due payment of the legal interest thereon, to be made annually to the Said Francois Antoine Larocque, Jules Maurice Quesnel and Alexis Laframboise, their Heirs, Executors, Administrators, Curators or Assigns, the rents or profits to be derived in anyway whatsoever from the said Market Place or the Buildings thereon erected shall be mortgaged, bound and hypothecated.

IV. And be it further enacted by the authority aforesaid, that it shall be the duty of the said Justices, so soon as there shall be funds in their hands for that purpose, and when the interest of the said sum so ascertained as aforesaid shall have been paid, to pay off the principal; and the said Francois Antoine Larocque, Jules Maurice Quesnel and Alexis Laframboise, their Heirs, Executors, Administrators, Curators and Assigns shall be bound to receive the same in such sums and at such times as the funds in the hands of the said Justices shall admit: Provided always, that not less than five per cent on the whole of the said Principal shall be paid off at any one time.

V. And be it further enacted by the authority aforesaid, that whenever the principal and interest of the said sum so ascertained as aforesaid, shall have been paid off, any money then remaining in and all further sums which may thereafter come into the hands of the said

Justices by virtue of this Act, shall be considered as belonging to the City of Montreal, and be paid over to the Road Treasurer of the said City and make part of the fund appropriated by Law for the improvement of the said City of Montreal.

And be it further enacted by the authority aforesaid, that this Act shall be taken and allowed in all Courts as a Public Act, and all Judges and Justices of the Peace are required to take notice thereof as such, without its being specially pleaded.