

The Provincial Statutes of Lower-Canada, Being the first session of the fourteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1831.

1 William IV – Chapter 36

An Act to repeal two certain Acts therein mentioned, and to provide for the better regulation of the Market-Place in the Saint Lawrence Suburb, Montreal. (31st March, 1831.)

Whereas a Market-Place has been established, and suitable buildings erected thereon, in the Saint Lawrence Suburb, of the City of Montreal, under the authority of a certain Act passed in the ninth year of the Reign of His late Majesty, and of another certain Act passed in the tenth and eleventh years of the Reign of His late Majesty, and whereas the persons named as Trustees of the said Market-Place, in the Act first above cited, have by their Petition to the Legislature, prayed that the said Market-Place be declared a Public Market-Place, and as such placed under the controul of the Magistrates of the City of Montreal, and the revenues arising therefrom, appropriated and hypothecated for the surety and payment of the monies borrowed or advanced, and expended by the said Trustees, under the authority of the said Acts, and for the purchase of the ground on which the said Market-Place is established: 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 here by enacted by the authority of the same, that the said Act passed in the ninth year of the Reign of His late Majesty, intituled, "An Act for the establishment of a new Market-Place in the Saint Lawrence Suburb, Montreal," and the said Act passed in the tenth and eleventh years of the Reign of His late Majesty, intituled, "An Act to amend an Act passed in the ninth year of His Majesty's Reign, intituled, 'An Act for the establishment of a new Market-Place in the Saint Lawrence Suburb, Montreal,'" shall be and the same are hereby repealed.

II. And be it further enacted by the authority aforesaid, that the said Market-Place shall be and the same is hereby declared to be a Public Market-Place, and as such shall be, together with the buildings erected thereon, under the controul 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.

III. Provided always and be it further enacted, that the buildings erected on the said Market-Place, shall be insured from fire by the said Justices of the Peace residing within the City of Montreal, and that for the surety of the money so borrowed or advanced, and expended as aforesaid, and for the due payment thereof in the manner hereinafter

provided, and of the legal interest thereon, to be annually paid to the persons by whom the said money has been lent or advanced, their Heirs, Executors, Administrators, Curators or Assigns—the Rents and profits to be derived in any way whatsoever, from the said Market-Place or the buildings thereon erected, or to be hereafter rebuilt in case of accident by fire, shall be mortgaged, bound and hypothecated: Provided always, that the said interest, or any part thereof, shall not be paid annually and every year, except in as far as the Revenues of the said Market shall permit, after deducting the necessary expences of conducting and maintaining the said Market and the appurtenances thereof.

IV. And be it further enacted by the authority aforesaid, that it shall be the duty of the said Justices of the Peace, so soon as there shall be Funds in their hands for that purpose, and when the interest of the said money shall have been paid,, to pay off the principal, and the persons by whom the same was lent or advanced, their Heirs, Executors, Administrators, Curators, or 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 permit; Provided always, that not less than five per cent on the whole of the said principal shall be paid off at any one time, and that, the said Justices of the Peace shall not be held to pay either the principal nor the yearly interest out of any other funds than the nett Revenues of the said Market, after deducting the necessary expences of conducting, managing, and maintaining the said Market, and that if it should not be found practicable to pay the said interest at the expiration of the year, or at the period at which the same shall become due and payable, such interest shall be paid so soon thereafter as the state of the Revenues of the said Market shall permit.

V. And be it further enacted by the authority aforesaid, that whenever the principal and interest of the said money 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 of the Peace, by virtue of this Act, shall be considered as belonging to the City of Montreal, and shall 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.

VI. 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.