

*The Provincial Statutes of Lower-Canada, Being the second session of the fifteenth Provincial Parliament of Lower-Canada.* Quebec: John Carleton Fisher & William Kemble, Law Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 21

**An Act to enable His Majesty to acquire the Island called “Grosse Isle” for the public uses of the Province, and to indemnify the Proprietor and the Lessee thereof. (21st March, 1836.)**

MOST GRACIOUS SOVEREIGN.

Whereas the Island called Grosse Isle, in the River St. Lawrence, which was used as a Quarantine Station in the years one thousand eight hundred and thirty-two, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-four, and one thousand eight hundred and thirty-five, hath proved to be well adapted for that purpose; and whereas the said Island is now private property, and it would be advantageous that it should become the property of Your Majesty for the public uses of the Province:—May it therefore please Your Majesty that it may be enacted, and be it 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 Island, called, Grosse Isle, shall be valued, and its price estimated by an Arbitrator to be named by the Governor, Lieutenant Governor, or person administering the Government of the Province, and an Arbitrator to be named by the then proprietor of the said Island, (such two Arbitrators having power before they proceed to name a third, whose decision shall be final in case of difference of opinion); and that such Arbitrators shall not proceed to make such valuation and estimate until after they have been sworn before some Justice of the Peace for the District of Quebec, (and any such Justice of the Peace is hereby authorized to administer the necessary oaths,) impartially to perform their duty as such Arbitrators; and shall report their decision in writing to the Governor, Lieutenant Governor, or person administering the Government, within three days after they shall have come to such decision: Provided always, that if the said Proprietor shall refuse or neglect to name an Arbitrator during eight days after the appointment of the Arbitrator named by the Governor, Lieutenant Governor, or person administering the Government, shall be signified to such Proprietor, the decision of the Arbitrator whose appointment shall be so signified, shall be final.

II. And whereas it is just that the Proprietor and the Lessee of the said Island, should be indemnified for the loss by them sustained from the occupation of the said Island as a

Quarantine Station, during the years one thousand eight hundred and thirty-two, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-four, and one thousand eight hundred and thirty-five: Be it therefore further enacted by the authority aforesaid, that the Arbitrators who shall under the provision of the preceding Section estimate the value of the said Island, shall, in like manner, and under the same provisions, estimate and report the loss sustained by the said Proprietor and by the said Lessee, by the occupation aforesaid.

III. And be it further enacted by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant Governor, or person administering the Government of the Province, to advance and pay to the said Proprietor and to the said Lessee respectively, by Warrant under his hand, and out of any unappropriated monies in the hands of the Receiver General, a sum equal to that at which the said Arbitrators shall have so estimated the value of the said Island, and another sum equal to that at which they shall have estimated the loss so sustained by such Proprietor and by such Lessee, in consequence of the occupation aforesaid; and so soon as the said sums shall be so paid, the said Island shall become the property of His Majesty for the public uses of the Province, and there may also be paid in the manner aforesaid, to the said Arbitrators, such sum of money as shall be necessary to indemnify them for their loss of time, and for the expenses they may have incurred in performing the duty aforesaid.

IV. And be it further enacted by the authority aforesaid, that every person to whom shall be entrusted the expenditure of any portion of the monies hereby appropriated, shall make up detailed accounts of such expenditure, shewing the sum advanced to the Accountant, the sum actually expended, the balance, if any, remaining in his hands, and the amount of the monies hereby appropriated to the purpose for which such advance shall have been made, remaining unexpended in the hands of the Receiver General; and that every such account shall be supported by vouchers therein distinctly referred to by numbers corresponding to the numbering of the items in such account; and shall be made up to, and closed on the tenth day of April and the tenth day of October in each year, during which such expenditure shall be made, and shall be attested before a Justice of the Court of King's Bench, or a Justice of the Peace; and shall be transmitted to the Officer whose duty it shall be to receive such account, within fifteen days next after the expiration of the said periods respectively.

V. And be it further enacted by the authority aforesaid, that the due application of the monies appropriated by this Act, shall be accounted for to His Majesty, his heirs and successors, through 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 direct; and that a detailed account of the expenditure of all such monies shall be laid before the several Branches of the Provincial Legislature, within the first fifteen days of the next Session thereof.