

The Provincial Statutes of Lower-Canada, Being the third session of the Second Provincial Parliament of Lower-Canada. Quebec: William Vondenvelden, Printer to the King's Most Excellent Majesty, 1799.

39 George III – Chapter 10

An Act for erecting Court Houses, with proper Offices in the several Districts of Quebec and Montreal, and for defraying the expences thereof. [3d June, 1799.]

MOST GRACIOUS SOVEREIGN,

Whereas it hath pleased Your Majesty, by Message to both Houses of the Provincial Parliament, to signify that Your Majesty, in your paternal regard for the welfare and happiness of your faithful subjects in this Province, hath been graciously pleased, to give your Royal attention to the representations which have been made relative to the erection of proper Buildings, for holding the Courts of Justice in the several Districts of Quebec and Montreal, and to authorise the Governor of this Province, to advance on the part of Your Majesty, the Sums which shall be requisite for that purpose, to be replaced at such time and in such manner as, in the wisdom of the Provincial Parliament may be found expedient. And whereas Court Houses or Halls, with proper Offices, for the convenient sittings of the Courts of Justice in the several Districts of Quebec and Montreal, respectively, are of urgent necessity, and for the honour of Your Majesty's Government and the dignity of Justice ought to be forthwith erected: 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 aforesaid, that it shall and may be lawful to and for His Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, by an Instrument under his hand and seal at Arms, to appoint in each of the said Districts of Quebec and Montreal, respectively, three persons to be Commissioners for erecting the Court Houses and proper Offices for the convenient fittings of the Courts of Justice, to be erected in pursuance of this Act in each of the said Districts respectively, to remove, from time to time, the said Commissioners or any of them, and to appoint others in the place and stead of as such as shall be removed, or shall die or resign their trust.

II. And be it further enacted by the authority aforesaid, that in each of the said Districts of Quebec and Montreal, respectively, the said Commissioners for such Districts respectively, or any two of them, as soon as may be, after their respective appointments, shall six upon some convenient Lot of Ground in each of the Cities of Quebec and Montreal, respectively, whereon such Court Houses and proper Offices may be conveniently erected; Provided

always, that the situation and other circumstances relative to such Lots of Ground, and to each of them, shall by the said Commissioners or any two of them in each of the said Districts, respectively, be reported to and be approved, by His Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province, for the time being, before the same shall be finally fixed upon, or any purchase thereof made.

III. And be it further enacted by the authority aforesaid, that when such Lots of Ground shall be so fixed upon, with such approbation as aforesaid, the said Commissioners or any two of them, in each of the said Districts respectively, shall as soon as may be, contract for the absolute purchase, in fee simple, of the said Lots of Ground, and each of them, in the said Districts respectively, for the purpose of erecting thereon, such Court Houses, and proper Offices as aforesaid, in such manner as is herein after directed, which Ground so to be purchased, shall be conveyed to the Prothonotary of the Court of King's Bench, for the time being, of and for the District in which the Lot of Ground so to be purchased, shall be situated, and to his Successors for ever: and the Prothonotaries of the Court of King's Bench for the Districts of Quebec and Montreal respectively and, their respective successors for the time being for ever, are hereby made and declared to be a corporation for the special purpose of being respectively capable, to take and hold in perpetual Succession, for the uses and purposes of this Act, the said respective Lots of Ground and Court Houses and proper Offices as aforesaid, which shall be thereon erected.

IV. And be it further enacted by the authority aforesaid, that it shall and may be lawful, to and for all Corporations, aggregate or sole, ecclesiastical, civil or eleemosynary, Husbands, Guardians, Tutors, Curators and all Trustees whatsoever, not only on behalf of themselves, but also on behalf of the persons, for whom they act, whether Minors or issue Unborn, Lunatics, Idiots, Femmes Coverts or other person or persons, who are or shall be seized, possessed of or interested in any Piece or Pieces of Ground on which the said Court Houses and proper Offices in the said several Districts, or either of them, shall be appointed to be erected, to contract or agree for, sell, convey, and assure such piece or pieces of Ground, unto the Prothonotary of the said Court of King's Bench, in the District wherein such piece or pieces of Ground, shall be respectfully situated; and all such Contracts, Agreements, Sales, Conveyances and Assurances, shall be valid and effectual in Law, to all intents and purposes whatsoever, any Law, Statute, Usage or Custom to the contrary notwithstanding; and all Corporations and persons so agreeing or conveying, are hereby indemnified, for what they shall respectively do by virtue of this Act.

V. And be it further enacted by the authority aforesaid, that when the said Lots of Ground in each of the said Districts respectively, shall be so conveyed as aforesaid, it shall and may be lawful for the said Commissioners, or any two of them, in each of the said Districts respectively, and they are hereby required, to cause to be thereon erected and finish two strong and substantial Court Houses with proper Offices for the convenient Sitzings of the Courts of Justice of and for each of the said Districts, respectively; Provided always, that the Sum to be expended by virtue of this Act, in and about the purchase of a Lot of Ground, and in and about the Building of a Court House, with proper Offices as above described in the

said District of Quebec, shall not exceed five thousand Pounds current Money of this Province; and that the sum to be expended by virtue of this Act, in and about the purchase of a Lot of Ground, and in and about the Building of a Court House with proper Offices, as above described, in the said District of Montreal, shall not exceed five thousand Pounds, current money aforesaid, to which said sums, the said Commissioners in each of the said Districts, respectively, are hereby expressly limited and restricted.

VI. And be it further enacted by the authority aforesaid, that before the Building of the said Court Houses and proper Offices aforesaid, shall be commenced, the said Commissioners or any two of them, in each of the said Districts respectively, shall and they are hereby directed to cause a plan of the said Court Houses and proper Offices respectively, with an estimate of the expence, of erecting the same, to be made, which plan and estimate, shall by the said Commissioners or any of them in each of the said Districts respectively, be laid before and approved of, by the Governor, Lieutenant Governor or person administering the Government of this Province for the time being, and after such approbation, it shall and may be lawful for the said Commissioners, or any two of them, in each of the said Districts respectively, from time to time, to agree by contract or contracts in writing, or otherwise, in their discretion, with any person or persons, as well for providing materials and hiring work men and Labourers, as for the Building of the said Court Houses and proper Offices in each of the said Districts respectively, or for the building of such part or parts of such Court Houses and proper Offices, as and for which, they the said Commissioners or any two of them, in each of the said Districts respectively, shall think expedient to contract or agree. Provided always, that previous to making any contract or contracts in writing, fourteen days at least shall be given in one or more of the publick news papers, printed within the said Districts, respectively, expressing the object and intention of such contracts and the time and place, for receiving proposals for the same.

VII. And be it further enacted by the authority aforesaid that it shall and may be lawful to and for His Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, to appoint such person, as he shall deem fit and capable, in each of the said Districts respectively, to be under the directions of the said Commissioners in the said Districts respectively, a Supervisor of the building of the said Court Houses and proper Offices to be erected in pursuance of this Act, and from time to time to remove him or them, and to appoint another or others in the place of him or them, who shall be so removed, or shall die or shall resign his or their trust, which said person or persons so to be appointed as aforesaid, shall superintend the erection of the said Court Houses and proper Offices, in the District for which they shall be respectively appointed. And it shall and may be lawful to and for His Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, out of the fund herein after established, to make such allowance to such Supervisor in each of the said Districts respectively for his skill and attention, in the execution of the trust, to be by virtue of this Act, reposed in him, as he in his discretion shall think sufficient.

VIII. And it is hereby further enacted by the authority aforesaid, that when and so soon, as the said Court Houses shall be erected and sufficiently finished, in each of the said Districts of Quebec and Montreal, respectively, the Provincial Court of Appeals, the several Courts of King's Bench of and for each of the said Districts respectively, the several Courts of General Quarter or special Sessions of the Peace, of and for each of the said Districts respectively, the weekly sittings of the Justices of the Peace of and for the said Districts respectively, and all other Meetings of the said Justices, the Court of Vice Admiralty, of and for this Province, and all special Court of Oyer and Terminer and General Goal Delivery or other description shall be holden and kept in in the said Court Houses in the said Districts respectively, any Law, Custom or Usage to the contrary notwithstanding.

IX. And for the better regulating of the receipt and payment of the monies to be advanced by His Majesty, and to be expended in the Building and finishing of the said Court Houses and proper Offices, in each of the said Districts respectively, Be it further enacted by the authority aforesaid, that it shall and may be lawful to and for His Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, to appoint, in each of the said Districts respectively, such person as he may deem fit and proper, to be Treasurer for the receipt and payment of the several sums of money, so to be advanced and expended, and the said Treasurer so to be appointed as aforesaid, in each of the said Districts respectively, shall and may and he is hereby directed to receive the several sums of money so as aforesaid, to be advanced by His Majesty, and to be expended in the erection of the said Court Houses and proper Offices, in each of the said Districts respectively, as the same shall, from time to time, be advanced by His Excellency the Governor, Lieutenant Governor, or Person administering the Government of this Province for the time being, upon the requisition of the Commissioners or any two of them, in each or the said Districts respectively, and the said Commissioners, or any two of them in the said Districts respectively, shall, from time to time, by their order or orders, in writing under their hands, directed to such persons as shall be appointed Treasurer as aforesaid, in each of the said Districts respectively, direct the payment of all such sum and sums of money, as shall be due and payable for the Building and finishing of the said Court Houses and proper Offices, to the person or persons entitled to receive the same, and such Treasurer, upon receipt of such order or orders, shall forthwith pay the same, out of the monies which shall be in his hands, by virtue of this Act, taking a receipt or receipts for the same, and such sum and sums of money, when paid as aforesaid, shall be allowed in account to such Treasurer, upon the examining, settling or auditing of his accounts as herein after directed.

X. And be it further enacted by the authority aforesaid, that the said Commissioners in each of the said Districts respectively, once in each and every year or oftener, if thereunto required, shall account to his Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province, for the time being, for the application and expenditure, of all each and every the Sum and Sums of Money as aforesaid, to be advanced by His Majesty, and expended in the Building and finishing the said Court Houses and proper Offices, in each of the said Districts respectively, in such manner and form, as His Excellency the Governor, Lieutenant Governor or Person administering the Government of this

Province for the time being, shall appoint and direct. And each of the said Treasurers, in the said Districts respectively, four times in each and every year, to wit, on the first days of the several Months of March, June, September and December, and oftener, if thereunto required, shall account, to the said Commissioners in each of the said Districts respectively, for all monies by him respectively received and paid as such Treasurer, as aforesaid, which accounts being first approved by such Commissioners, in each of the said District respectively, shall by such Treasurers, in the said Districts respectively, be submitted to his Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province, for the time being, for such examination, audit and settlement, as His Excellency the Governor, Lieutenant or Person administering the Government of this Province, shall think proper to appoint and direct: And the said Treasurer or Treasurers, or his or their Heirs, Executors, Curators or Administrators, shall well and truly pay, all such monies as shall appear to be remaining in his or their hands, on examining, auditing or settling such Accounts, and shall deliver over all Books, Papers and Writings in his or their Possession, Custody or Power, belonging to the said Office of Treasurer, to any succeeding Treasurer or Treasurers, or other person or persons for such purpose appointed, by the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, when thereunto required by the said Commissioners or any two of them, in each of the said Districts respectively, or by the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being.

XI. And whereas it is necessary to establish a Fund, to replace the sum to be advanced by His Majesty, and to be expended in the purchase of the said Lots of Ground, and in the erection of the said Court Houses and proper Offices aforesaid; And whereas His Majesty, by His Royal Message delivered on the twenty ninth day of April, which was in the year of our Lord One thousand seven hundred and ninety four, did inform, both Houses of the Provincial Parliament, that he had been most graciously pleased to order the Casual and Territorial Revenue of this Province, as established prior to the Conquest, to be applied towards defraying the Civil expenses of this Province; Be it therefore further enacted by the authority aforesaid, that the Quints to be collected in each and every of the districts of this Province shall and they are hereby, expressly appropriated, to the extent of five thousand pounds Current money of this Province, towards replacing the like amount of the said sum, to be advanced by His Majesty and to be expended in the purchase of the said Lots of Ground, and in the erection of the said Court Houses and proper Offices.

XII. And for the further increase of the said Fund, be it further enacted by the authority aforesaid, that from and after the passing of this Act, there shall be paid into the hands of the Clerk of the Provincial Court of Appeals, for the time being, for every Writ of Appeal or Writ of Error, which shall be issued from the said Court of Appeals, the sum of one pound, ten shillings current money of this Province, over and above the fees received and to be received by the said Clerk: and for every appeal to His Majesty in His Privy Council, before the same shall be allowed, the sum of six pounds like current money, over and above the fees received and to be received by the said Clerk.

XIII. And for the further increase of the said Fund, Be it further enacted by the authority aforesaid, that from and after the passing of this Act, there shall be paid into the hands of the Prothonotaries of the Court of King's Bench, in the said Districts of Quebec and Montreal, respectively, for the time being, for every Writ of Summons, Capias ad respondendum or Attachment, which shall be issued, from the said Courts in the said Districts respectively, before the same shall be issued, the following Sums, that is to say, for every Writ of Summons, which shall be issued from the said Courts in the said Districts respectively, in any cause wherein in and by the Declaration shall be made any demand whatsoever, for any sum of money, not exceeding live pounds current money of this Province, the sum of six pence, like current money, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every Writ of Summons, which shall be issued from the said Courts in the said Districts respectively, in any cause, wherein in and by the Declaration shall be made any demand whatsoever, for any sum of money above five pounds like current money and not exceeding the sum of ten pounds, sterling money of the Kingdom of Great-Britain the sum of two shillings, over and above the fees received and to be received by the said Prothonotaries, in each of the said Districts respectively; for every Writ of Summons, Capias ad respondendum or Attachment, which shall be issued from the said Courts in the said Districts respectively, in any cause, wherein in and by the Declaration shall be made any demand whatsoever for any sum of money, above ten pounds, Sterling Money of the Kingdom of Great Britain aforesaid, and not exceeding, the sum of thirty pounds Current Money of this Province, the Sum of five Shillings like current money, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every writ of summons, Capias ad Respondendum or Attachment, which shall be issued from the said Courts in the said Districts respectively, in any cause, wherein in and by the Declaration shall be made any demand whatsoever for any sum of money, above thirty pound current money of this Province and not exceeding the sum of one hundred pounds like current money the sum of ten shillings like current money over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every writ of summons, Capias ad respondendum or Attachment, which shall issued from the said Courts in the said Districts respectively, in any Cause, wherein in and by the Declaration shall be made any demand whatsoever, for any sum of money, above one hundred pounds current money of this Province, the sum of twenty shillings, like current money, over and above the fees received and to be received by the said Prothonotaries, in the said Districts respectively; for every Writ of Summons which shall be issued, from the said Courts in the said Districts respectively, returnable in any Inferior Term of such Courts or in the Circuit Court of either of the said Districts, in any Cause, relating to real property or to any other matter or thing, wherein in and by the Declaration, no specific demand of money shall be made, the sum of one shilling, current money of this Province, over and above the fees received and to be received by the said Prothonotharies in the said Districts respectively; And for every Writ of Summons which hall be issued, from the said Courts in the said Districts respectively, returnable in any Superior Term of such Courts, in any Cause relating to real property, or to any other matter or thing, wherein in and by the Declaration, no specific demand of money

shall be made, the sum of five shillings current money of this Province, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively.

XIV. And for the further increase of the said Fund, be it further enacted by the authority aforesaid, that from and after the passing of this Act, there shall be paid into the hands of the Prothonotaries of the Courts of King's Bench in the Districts of Quebec and Montreal, respectively, for the time being, for every Writ of Subpoena, every Commission Rogatoire, and every other Writ, which shall be issued in any cause after the Writ of Summons and before final Judgment, from the said Courts in the said Districts respectively, and before the same shall be issued, the following sums; that is to say, for every Writ of Subpoena, every Commission Rogatoire, and every other Writ which shall be issued after the Writ of Summons and before final Judgment, from the said Courts in the said Districts respectively, in any cause, wherein in and by the Declaration shall be made any demand whatsoever, for any sum of Money not exceeding the sum of Ten Pounds Sterling Money of the Kingdom of Great Britain, the sum of three pence, current money of this Province, over and above the fees received and to be received by the said Prothonotaries in each of the said Districts respectively; for every Writ of Subpoena, every Commission Rogatoire, and every other Writ which shall be issued after the Writ of Summons and before final Judgment from the said Courts, in the said Districts respectively, in any cause, wherein in and by the declaration shall be made any demand whatsoever, for any sum of Money above ten pounds sterling money of the Kingdom of Great Britain, and not exceeding the Sum of thirty pounds current money of this Province, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every Writ of Subpoena, Commission Rogatoire, and every other Writ which shall be issued after the Writ of Summons and before final Judgment from the said Courts, in the said Districts respectively, in any cause wherein in and by the declaration shall be made any demand whatsoever, for any sum of money, above thirty pounds current money of this Province, the sum of one shilling like current money, over and above the fees received by the said Prothonotaries in the said Districts respectively; for every Writ of Subpoena, every Commission Rogatoire, and every other writ which shall be issued from the said Courts in the said Districts respectively, returnable in any Inferior Term of the said Courts, or in the Circuit Court, in either of the said Districts, in any case, relating to real property, or to any other matter or thing, wherein in and by the Declaration, no specific demand of Money shall be made, the sum of three-pence current money of this Province, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; and for every Writ of Subpoena every Commission Rogatoire, and every other Writ which shall be issued, after the Writ of Summons, and before final Judgment, from the said Courts in the said Districts respectively, returnable in any Superior Term of such Courts, in any cause, relating to real property or to any other matter or thing, wherein in and by the Declaration, no specific demand of Money shall be made, the sum of one shilling, current money of this Province, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively.

XV. And for the further increase of the said Fund; Be it further enacted by authority aforesaid, that from and after the passing of this Act, there shall be paid into the hands of the Prothonotaries of the Courts of King's Bench, in the said Districts of Quebec and

Montreal, respectively, for the time being, for every Writ of Execution of whatsoever nature or kind the same may be, which shall be issued from the said Courts in the said Districts respectively, the following sums, that is to say, for every Writ of Execution, of whatsoever nature or kind the same may be, which shall be issued from the said Courts in the said Districts respectively, wherein the sum or sums of Money to be levied, by virtue of such Writ of Execution, shall not exceed the sum of Five Pounds current Money of this Province, the sum of three pence, like current money, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every Writ of Execution, of whatsoever nature or kind the same may be, which shall be issued from the said Courts in the said Districts, respectively, wherein the sum or sums of money to be levied by virtue of such Writ of Execution, shall be more than Five Pounds, current money of this Province, and shall not exceed the sum of Ten Pounds sterling, money of the Kingdom of Great Britain, the sum of six pence, current money of this Province, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every Writ of Execution, of whatsoever nature or kind the same may be, which shall be issued from the said Courts, in the said Districts respectively, wherein the sum or sums of money to be levied by virtue of such Writ of Execution, shall be more than Ten Pounds sterling money of the Kingdom of Great Britain, and shall not exceed the sum of Thirty Pounds current money of this Province, the sum of one shilling like current money over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every Writ of Execution of whatsoever nature or kind, the same may be, which shall be issued from the said Courts in the said Districts respectively, wherein the sum or sums of money, to be levied by virtue of such Writ of Execution, shall be more than thirty pounds, current money of this Province, and shall not exceed the sum of one hundred pounds, like Current Money, the sum of two shillings and six pence, over and above the fees received and to be received by the said Prothonotaries in each of the said Districts respectively; for every Writ of Execution of whatsoever nature or kind, the same may be, which shall be issued from the said Courts in the said Districts respectively, wherein the sum or sums of money, to be levied by virtue of such Writ of Execution, shall be above one hundred pounds current money of this Province, the sum of five shillings, like current money, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every Writ of Execution of whatsoever nature or kind the same may be, which shall be issued from the said Courts in the said Districts respectively, upon a Judgment obtained in any Inferior Term of such Courts, or in the Circuit Court in either of the said Districts respectively, in which execution no specific sum or sums of money, exclusive of costs, shall be ordered to be levied, the sum of six pence, current money of this Province, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; and so every Writ of Execution of whatsoever nature or kind the same may be, which shall be issued from the said Courts in the said Districts respectively, upon a Judgment obtained in any Superior Term of such Courts in which execution no specific sum or sums of money, exclusive of Costs, shall be ordered to be levied, the sum of two shillings and six pence, current money of this Province, over and above the fees received and to be received by the said Prothonotaries in each of the said Districts respectively.

XVI. And for the further increase of the said Fund, be it further enacted by the authority aforesaid, that from and after the passing of this Act, there shall be paid into the hands of the Prothonotaries of the Court of King's Bench, in the said Districts of Quebec and Montreal, respectively, for the time being, for every Cloture d'Inventaire, the sum of One shilling, current money of this Province, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively: for every Assemblée de Parens, for whatever purpose the same may be had, (except for election of Tutors,) the sum of One shilling, like current money, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively; for every Marriage contract insinué or enregistered, the sum of Five shillings, like current money, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively, and for every Donation and every other Act or deed whatsoever insinué or enregistered (Renunciations pures et simples to Communautés or to Successions excepted,) the sum of Five shillings, like current money, over and above the fees received and to be received by the said Prothonotaries in the said Districts respectively: and the several sums of Money hereby imposed, shall be paid by the person or person requiring such Cloture d'Inventaire or Assemblée de Parens; or the insinuation or enregistration of such contract of Marriage, Donation or other Act or Deed abovementioned, respectively, before such Cloture d'Inventaire, Assemblée de Parens, Contract of Marriage, Donation or other Act or Deed abovementioned, shall respectively be made, held, insinué or enregistered.

XVII. And whereas, in the District of Three Rivers, a convenient Court House with proper Offices, has at the general expence of this Province, been heretofore provided, Be it therefore further enacted by the authority aforesaid, for the further increase of the said Fund, that the several Sums of money hereby imposed and made payable, upon all and every of the Writs before mentioned, to be hereafter issued from the said Courts of King's Bench of the said Districts of Quebec and Montreal, respectively; and also the several Sums of Money hereby imposed and made payable upon every Cloture d'Inventaire, and every Assemblée de Parens, and upon every Marriage Contract, insinué or enregistered, and upon every Donation and every other Act or Deed whatsoever, insinué or enregistered, in the said Courts of King's Bench of the said Districts of Quebec and Montreal, respectively, shall in like manner, and according to the same rates herein before mentioned, be paid to the Prothonotary of the Court of King's Bench, of and for the said District of Three Rivers, upon all, each and every such Writs to be hereafter issued from the said last mentioned Court, and upon all, each and every Cloture d'Inventaire and Assemblée de Parens, and upon all, each and every Marriage Contract, insinué or enregistered, and upon all, each and every Donation and other Act or Deed whatsoever, insinué or enregistered, in the said Court of King's Bench of and for the said District of Three Rivers [Trois Rivières].

XVIII. And for the further increase of the said Fund, Be it further enacted by the Authority aforesaid, that there shall be paid into the Hands of the Register of the Court of Vice Admiralty of and for this Province, for every Writ, which shall be issued from or under the authority of the said Court of Vice Admiralty, before the same shall be issued, (excepting in

prosecutions for the wages of Seamen,) the Sum of Two Pounds six shillings and eight pence, Current money of this Province, over and above the fees received and to be received by the said Register of the said Court of Vice Admiralty.

XIX. And be it further enacted by the authority aforesaid, that the said several Sums hereby imposed, upon Writs to be issued as aforesaid, from the said Provincial Court of Appeals, from the said Court of King's Bench, of and for the said Districts of Quebec, Montreal and Three-Rivers, and from the said Court of Vice-Admiralty, of and for this Province, shall be paid by the person or persons requiring such Writs, and shall, by the Justices of the said Courts respectively, be allowed in Costs, and taxed in all causes, against the party or parties who by the Judgment of such Courts, respectively, shall be adjudged and condemned to pay Costs.

XX. And be it further enacted by the authority aforesaid, that the said Clerk of the said Provincial Court of Appeals, the said Prothonotaries of the said Courts of King's Bench, of and for the said Districts of Quebec, Montreal and Three Rivers, and the said Register of the said Court of Vice Admiralty, for the time being, shall, twice yearly and every year, to wit, on the first day of March, and the first day of September, in each year, render an Account to the Receiver General of this Province, for the time being, of all and every the Sum and Sums of money, which have arisen and before payable to them and each of them, respectively, by virtue of this Act, during the six Calendar Months, next preceeding the rendering of such account, as aforesaid, to the truth of which account, before the same shall be rendered to the said Receiver General, such Clerk of the said Provincial Court of Appeals, Prothonotaries of the said Courts of King's Bench, and Register of the said Court of Vice Admiralty, shall, respectively, make oath before one of the Justices of that Court, of which they are respectively Officers. And all and every the said Sum and Sums of Money, which shall have so as aforesaid arisen and before payable by virtue of this Act, shall then, to wit, on the said first day of March, and first day of September, in each year, respectively, be paid by such Clerk of the said Provincial Court of Appeals, Prothonotaries of the said Courts of King's Bench, and Register of the said Court of Vice Admiralty, respectively, into the hands of the said Receiver General, in discharge of the sum to be advanced by His Majesty, and to be expended in the purchase of the said Lots of Ground and in the erection of the said Court Houses and proper offices, aforesaid, deducting therefrom, for their trouble of levying, collecting and paying, answering and accounting for the same, the Sum of Five Pounds per Centum. And if any such Clerk of the said Provincial Court of Appeals, Prothonotaries of the said Courts of King's Bench or Register of the said Court of Vice Admiralty, shall refuse or neglect to render such account and make such payment, as aforesaid, in manner hereby directed, he shall forfeit and pay for every such refusal and neglect, over and above the Sum arisen and before payable by virtue of this Act, as aforesaid, the Sum of Fifty Pounds, Current money of this Province, to be recovered by the said Receiver General, by action of Debt, in any of His Majesty's Courts in this Province, and by him to of applied, when recovered, to the discharge of the said Sum, to be advanced by His Majesty, and expended in manner above mentioned.

XXI. And be it further enacted by the authority aforesaid, that all and every of the said Sums of Money, hereby imposed and made payable, upon all and every of the Writs to be issued from the said Provincial Court of Appeals, from the said Court of King's Bench, in each of the said several Districts of Quebec, Montreal and Three-Rivers respectively, and from the said Court of Vice-Admiralty of and for this Province, and also, all and every of the Sum or Sums of Money hereby imposed and made payable upon all and every Cloture d'Inventaire, Assemblée de Parens, and upon the enregistrement of Marriage Contracts, Donations and other Act or Deed as abovementioned, in each of the said last mentioned Districts, respectively, shall continue to be paid and be payable, in the manner herein before directed, for and during the space and term of ten years, from the day of passing this Act; Provided always, that if before the expiration of the said Term, His Excellency the Governor, Lieutenant Governor, or Person administering the Government of this Province, for the time being, shall make known, by Proclamation, under his hand and Seal at Arms, that the Sum of Five Thousand Pounds, Current money, shall be entirely replaced to His Majesty, His Heirs and Successors, from the several Sums of Money, imposed and made payable by this Act, then and in such case, the aforesaid several sums of Money imposed, and made payable by this Act, and each and every of them, shall no longer be demanded or received, any thing herein contained to the contrary notwithstanding.

XXII. And be it further enacted by the authority aforesaid, that all such monies as are herein before appropriated and shall be collected, and all such monies as shall be levied by virtue of this Act, shall be paid and applied for the purposes before set forth in this Act, and the same shall be accounted for to His Majesty, through the Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty shall direct.

XXIII. And be it further enacted by the authority aforesaid, that this Act shall be deemed and taken to be a Public Act, and as such, shall be noticed by all Judges, Justices and other persons whosoever, without specially pleading the same.