

The Provincial Statutes of Lower-Canada, Being the first session of the ninth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1817.

57 George III – Chapter 17

An Act for erecting a Court-House with proper Offices in the District of Three-Rivers, and for defraying the expences thereof. (22 March, 1817.)

MOST GRACIOUS SOVEREIGN,

Whereas it hath pleased Your Majesty, by Message transmitted by His Excellency the Governor in Chief to both Houses of the Provincial Parliament, to lay before them, a presentment of the Grand Jury of the District of Three-Rivers [Trois-Rivières], representing the insufficiency and insecurity of the building now occupied as a Court-House for that District; and to recommend that provision be made for the better accommodation of the Courts of Justice and of the Public Offices connected with them in that District; and whereas a Court-House or Hall with proper Offices for the convenient sittings of the Courts of Justice in the District of Three-Rivers, is of urgent necessity, and for the, honor of Your Majesty's Government and the dignity of justice, ought to be 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 of 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 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 the said District of Three-Rivers, three persons to be Commissioners for erecting the said Court-House with proper Offices for the convenient sittings of the said Courts of Justice to be erected in pursuance of this Act in the said District, and a person to act as Treasurer and Clerk to the said Commissioners in the said District, and to remove from time to time the said Commissioners, Treasurer and Clerk or any of them, and to appoint others in the place and stead of such as shall be removed, or shall die, or resign their trust.

II. And be it further enacted by the authority aforesaid, that in the Town of Three-Rivers, the said Commissioners for such District of Three-Rivers, or any two of them, as soon as may be after their respective appointments, shall fix upon some convenient lot of ground in the Town of Three-Rivers, whereon such Court-House and proper Offices as aforesaid, maybe conveniently erected. Provided always, that the situation and other circumstances relative to such lot of ground, shall by the said Commissioners or any two of them in the said District, be reported to and 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 made thereof.

III. And be it further enacted by the authority aforesaid, that when such lot of ground shall be so fixed upon with such approbation as aforesaid, the said Commissioners or any two of them, shall as soon as may be, contract for the absolute purchase in fee simple of the said lot of ground, for the purpose of erecting thereon such Court-House 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 said District of Three-Rivers, and to his Successors for ever; and the said Prothonotary of the Court of King's Bench for the said District of Three-Rivers and his respective Successors for the time being, and 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 lot of ground and Court House and proper Offices, as aforesaid, which shall be thereon erected.

IV. And be it further enacted by the authority aforesaid, that when the said lot of ground shall be so conveyed as aforesaid, it shall and may be lawful for the said Commissioners or any two of them, and they are hereby required, to cause to be thereon erected and finished a strong and substantial Court-House with the proper Offices for the convenient sittings of the Courts of Justice of and for the said District of Three-Rivers. Provided always, that the sum to be expended by virtue of this Act, in and about the purchase of the lot of ground, in and about the building of a Court-House with proper Offices as above described in the said District of Three-Rivers, shall not exceed the sum of eight thousand Pounds, current money of this Province; to which said sum the said Commissioners are hereby expressly limited and restricted.

V. And be it further enacted by the authority aforesaid, that before the building of the said Court House and proper Offices shall be commenced, the said Commissioners or any two of them in the said District, shall and they are hereby directed to cause a plan of the said Court-House and proper Offices with an estimate of the expence of erecting the same, to be made; which plan and estimate shall by the said Commissioners or any two of them in the said District, 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 the said District, 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 conducting and inspecting the works as for providing materials and hiring workmen and labourers, and for the building of the said Court-House and proper Offices in the said District, and for the building of such part or parts of such Court-House and proper Offices, as and for which the said Commissioners or any two of them in the said district, shall think it expedient to contract or agree. Provided always, that previous to making any contract or contracts in writing, fourteen days notice at least shall be given in one or more of the public newspapers, printed within the cities of Quebec or Montreal, expressing the object and intention of such contracts and the time and place for receiving proposals for the same.

VI. And be it further enacted By the authority aforesaid that when and so soon as the said Court House shall be erected, and sufficiently finished in the said Town of Three-Rivers, the several Courts of King's Bench for the said District of Three-Rivers, the several Provincial Courts for the said District, the several Courts of General Quarter or Special Sessions of the Peace for the said District; the Weekly Sittings of the Justices of the Peace of and for the said District, and all other meetings of the said

Justices, and all special Courts of Oyer and Terminer, and General Goal Delivery or other description, shall be holden and kept in the said Court-House in the said Town of Three-Rivers, any Law, custom or usage to the contrary notwithstanding.

VII. And be it further enacted by the authority aforesaid; that it shall and may be lawful for the Governor, Lieutenant-Governor or person administering the Government of the Province for the time being, by warrant or warrants under his hand and seal, directed to the Receiver-General of this Province, to issue to the said Commissioners or any two of them to be appointed by virtue of and under the authority of this Act, a sum of money not exceeding eight thousand Pounds, current money of this Province, out of any unappropriated monies which now are or hereafter may be in the hands of the Receiver-General, and which said sum of money as aforesaid, shall be applied towards the building and completing the said Court-House and proper Offices for the said District of Three-Rivers.

VIII. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province for the time being, to allow to the person to be appointed Treasurer and Clerk, as aforesaid, a sum not exceeding two hundred pounds, currency, to be paid from the sum herein appropriated for erecting the said Courthouse, and proper offices, as a compensation for his services during the construction of the said Court-House, and proper offices in the said district of Three-Rivers.

IX. And be it further enacted by the authority aforesaid, that the said Commissioners in the said District of Three-Rivers, from time to time, when thereunto required, shall account to the Governor, Lieutenant-Governor, or person administering the government of this Province for the time being, for the application and expenditure of all and every the sum or sums of money to be advanced to them, and distributed by them in the erection of the said Court-house, and proper offices, in such manner and form as the Governor, Lieutenant-Governor, or person administering the government of this Province for the time being, shall appoint and direct.

X. And be it further enacted by the authority aforesaid, that the due application of the said monies pursuant to the directions of this Act, shall be accounted for to His Majesty, his heirs and successors, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, his heirs and successors, shall direct.