

*The Provincial Statutes of Lower-Canada, Being the first session of the eleventh Provincial Parliament of Lower-Canada.* Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1821.

1 George IV – Chapter 16

**An Act to establish a Public Market Place in the Saint Lawrence Suburbs of the City of Montreal. (17th March, 1821.)**

Whereas Isaac Shay, Benjamin Hall, John Gray, William Scott, Joseph Leduc, Thomas Phillips, Louis Henry Gauvin, Charles Simon Delorme, Christian Gunlack, Joseph Chevalier, and others, have by their humble petition, represented the Market Places actually existing in the City of Montreal, are not sufficient for the purposes intended, and are not adequate to the reception and proper accommodation of persons who attend Market in the said City to sell provisions, and of the public at large; and have prayed that they may be authorized to purchase a certain Lot of Ground, situate and being in the St. Lawrence Suburbs of the said City of Montreal, for the purpose of establishing a Market thereupon; in order to obviate the inconveniences herein above-mentioned, and whereas it is expedient to afford the conveniences herein above-mentioned, and whereas it is expedient to afford the conveniences therein prayed for; 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 provisions for the Government of the said Province;" and it is hereby enacted by the authority of the same, that the persons herein above-named and such other persons as may be admitted as associates in the under-taking aforesaid, shall be and they are hereby authorized to open Books of Subscription, in the City of Montreal, after at least three weeks notice to that effect in two of the Public Newspapers in that City, published in the French and English languages, which said books of subscription shall be deposited and remain with the Clerk of the Peace, and with such funds as they may therefore mutually contribute, to purchase a certain Lot of Ground, situate and being in the St. Lawrence Suburbs, in the City of Montreal aforesaid, thus described, that is to say: that part, of the said Saint Lawrence Suburbs which is bounded on the west by Lagauchetière [La Gauchetière] street, (commonly called, the main street) on the south, by St. Charles Borromé [Saint-Charles-Borromée] street and extending eastward as far as may be judged necessary; which said Lot of Ground, as soon as the same shall have been purchased and acquired from the present Proprietors thereof, as a price to be agreed upon by and between the aforesaid Proprietors and the persons herein above-named, and their associates, shall be and the same is hereby vested in them, the said Isaac Shay, Benjamin Hall, John Gray, William Scott, Joseph Leduc, Thomas Phillips, Louis Henry Gauvin, Charles Simon Delorme, Christian Gunlack, Joseph Chevalier, and in their associates, their heirs, representatives and assigns, forever, for the purposes of this Act, and as a public Market Place, and for no other purpose or purposes whatsoever.

II. And be it further enacted by the authority aforesaid, that the said lot of ground, when the same shall have been duly purchased from the present Proprietor or Proprietors thereof by the persons

herein above-named, shall be vested in the persons herein above named with their associates, their heirs, representatives and assigns for ever, who are hereby made and declared to be a Corporation, under the name and style of "The Corporation of the Market for the St. Lawrence Suburbs in the City of Montreal," for the special purpose of purchasing and being enabled and capable to hold in perpetual succession, the above-mentioned lot of ground, for the purposes aforesaid, and as such may sue and be sued, in any of His Majesty's Courts of Law in this Province.

III. And be it further enacted by the authority aforesaid, that the said Corporation shall be and the same is hereby empowered, after the said lot of ground shall have been so purchased as aforesaid, to build and erect on the same, a suitable and convenient Market House with Stalls, in such manner as shall appear to them best suited to the public convenience, and the same may let out to hire, with the same formalities and in like manner as the stalls in the other markets are let out to hire, for the purpose of selling and exposing butchers' meat and other provisions, as sold in the Stalls of other Markets in the said City of Montreal, for such rent as may be deemed just and reasonable and as can be procured for the same, which said rents shall be paid into the hands of the Road Treasurer for the City of Montreal, and shall by him be kept apart and distinct from other monies, for the purposes of this Act, as herein after is mentioned; and the said Road Treasurer shall, as a compensation for his services, be intitled to two and a half per cent, upon the monies by him so as aforesaid received.

IV. And be it further enacted by the aforesaid, that the revenues arising from and out of the said Market and Stalls, shall in the first place be appropriated to pay and discharge the necessary and unavoidable expenses of the said Corporation, and the legal interest due upon the monies which the subscribers or stockholders in the said corporation may have contributed as above-mentioned, and the amount of the revenues remaining in the hands of the Road Treasurer, after such appropriation, shall be applied towards the reduction and extinguishment of the capital stock, so as aforesaid contributed.

V. And be it further enacted by the authority aforesaid, that if any person shall, either through negligence, or wilfully destroy, spoil or injure any part of the said Market-House, Stalls or other work or works thereunto belonging and appertaining, which shall be built or erected on the said lot of ground, pursuant to this Act, every person so offending, shall for the first offence, incur a penalty of five pounds, currency, and for the second and every subsequent offence, shall incur a penalty of ten pounds, currency, and in default of payment, within fifteen days after the rendering of the judgment, the said Justices of the Peace are hereby authorised to commit the person or persons so offending, to the House of Correction or to the common Gaol, for a space of time not exceeding thirty days.

VI. And be it further enacted by the authority aforesaid, that the said Market so to be establish as aforesaid; shall be subject to the same rules and regulations as those already established or which may hereafter be established for the other market places in the said City.

VII. Provided always, and be it further enacted by the authority aforesaid, that nothing in this Act contained, nor any Bye-Law, Rule or Regulation that may hereafter be made in pursuance of the same, shall in any manner or way extend or be construed to extend to authorise any proprietors of the said intended Market place and Market House and Stalls, to be thereon built and erected as aforesaid, to sell or dispose of his, her or their share or shares therein, so soon as the same shall have been

established, pursuant to this Act, otherwise than by selling or transferring his, her or their interest or interests in the share or shares which such proprietor or proprietors may hold in the said intended Market Place and Market House and Stalls, to be thereon erected, which shares are hereby made and declared to be transferable and assignable. Provided always, that no transfer of any share or shares shall be valid, unless such transfer be regularly entered in the Books so as aforesaid to be kept by the Clerk of the Peace.

VIII. And provided always, and be it further enacted by the authority aforesaid, that the persons herein above-named and their associates, to entitle themselves to the benefits of this Act, shall purchase the above described Lot of ground, and shall erect or cause to be erected a suitable and convenient Market House and Stalls, for the purposes herein above-mentioned, within three years after the passing of this Act, and in default so to do, the persons herein above-named and their associates, their heirs, successors and assigns, shall cease to be a Corporation, as they are herein-before declared to be.

IX. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Justices of the Peace for the District of Montreal, or the persons in whom is or shall be vested by Law the authority to make and establish Rules and Orders of Police for the City of Montreal, and at whose disposal the public monies levied in and appertaining to the same may be vested, from time to time, as they may judge convenient, and as the funds of the said City may permit, to purchase shares and acquire an interest in the said Market-Place and Market-House and Stalls, to be thereupon built and erected, for and on behalf of the public, at such fair and equitable terms as may be agreed, until the whole of the shares and interest therein, be purchased and acquired for the public; after which the said Corporation shall expire, and be dissolved, and the said Market-Place and Market-House and Stalls shall thereafter be regulated as and under the direction of the same persons as the Market house built and erected in the aforesaid City of Montreal, in virtue of the Act passed in the forty-seventh year of the Reign of His Majesty, George the Third, chapter the Seventh, is regulated and directed. Provided always, that the said Justice of the Peace or other persons as aforesaid, shall not in any one year, expended for the purpose of purchasing the said Market-Place, Market-House and Stalls any greater sum than the sum of five hundred pounds, currency; and provided also, that the said Corporation shall not be entitled to any further sum or sums of money by way of indemnity or otherwise, than the full amount of the capital and interest to be by the said Corporation applied for the purposes of this Act.

X. And be it further enacted by the authority aforesaid, that nothing herein-contained, shall affect or be construed to affect in any manner or way whatsoever, the rights of His Majesty, his Heirs or Successors, or of any person or persons whatsoever, or of any bodies politic or corporate, such only excepted as are herein-mentioned.

XI. 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 judicially taken notice of by all Judges, Justices of the Peace, and other persons without being specially pleaded.