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An Act to prepare for the decentralization of the Judicial system in Lower Canada, by subdividing it into smaller Districts and providing for the building of Court Houses and Gaols therein.

WHEREAS it is expedient, with a view to the decentralization of the Judicial system in Lower Canada, to determine the limits of the smaller Judicial Districts into which it may be advantageously divided, and to provide for the building of Court Houses and Gaols, at proper places in those of the said Districts in which there are none now built : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

- I. The Districts mentioned in the first column of the Schedule to this Act, are those into which Lower Canada shall hereafter be divided for Judicial purposes, and the places mentioned in the second column are those which shall be comprised in and shall compose the said Districts respectively, and the places named in the third column shall be the District Towns thereof :
- and at each of the said District Towns at which there is now no Court House and Gaol, or at which either the Court House or the Gaol requires to be re-built, a site for a Court House and Gaol shall be selected and a Court House and Gaol shall be built thereon by the Commissioners of Public Works, under the control of the Governor in Council ; and all the powers vested in the Commissioners of Public Works with regard to the taking of lands required for Public Works, and all other powers vested in them or in parties who are empowered to contract with them for the conveyance of such lands, and all the provisions of the Acts relating to the said Commissioners and to Public Works constructed under their superintendence, shall in so far as they may not be inconsistent with this Act, apply and extend to the said Court Houses and Gaols and the sites therefor and the construction thereof, and to the said Commissioners in regard to them : Provided always, that no plan shall be adopted by the said Commissioners for the construction of such Court Houses and Gaols, or any of them, until it shall have been approved by the Governor in Council.
- II. The sum to be expended in building the Court and Gaol at any such District Town, shall not, with that paid for the site thereof, exceed the sum of _____, and such sum may be from time to time advanced and paid to the Commissioners of Public Works by the Receiver General

Preamble.

Lower Canada divided as per Schedule.

Court House and Gaol to be built at each District Town.

Proviso.

Cost of each Court and Gaol limited.

upon the warrant of the Governor, and out of the moneys to be raised under the authority of this Act.

Lower Canada Municipalities Fund under 18 V. c. 2, appropriated for the said Court Houses and Gaols.

III. And in order to avoid the expense and trouble to which the Municipalities of Lower Canada would be subjected in levying and collecting moneys by assessment for building such Court Houses and Gaols, it is enacted, that notwithstanding any thing to the contrary in the Act passed in the eighteenth year of Her Majesty's Reign, and intituled, *An Act to make better provision for the appropriation of moneys arising from the Lands heretofore known as the Clergy Reserves, by rendering them available for Municipal purposes*, the amount of the Lower Canada Municipalities Fund therein mentioned remaining after the payment of the charges upon it, shall not be apportioned among or paid to the Municipalities in Lower Canada in the manner provided by the said Act, but shall be appropriated for the purposes of this Act.

Municipalities may add a further sum, as they may.

IV. Provided always, that if the County Municipalities in any District shall think proper to raise a further sum for the purpose of being added to that coming to the District under the next preceding section, and to be expended with it for the purpose of building a better Court House and Gaol, they shall have full power so to do, and the County Delegates may agree upon such sum and the proportion to be raised by such County, and the Council of each County shall have full power to raise the sum apportioned to it; and such additional sum shall be applied and expended by the Commissioners of Public Works with that coming to the District under the next preceding section.

Governor may cause £75,000 to be raised by Debentures.

V. It shall be lawful for the Governor in Council to authorize the Receiver General to raise from time to time such sum or sums of moneys as may be required for the purposes of this Act, and not exceeding in the whole the sum of seventy-five thousand pounds, by Provincial Debentures to re-pay and make good the principal and interest whereof, all moneys arising from the said Lower Canada Municipalities Fund, after the payment of the stipends or commutation therefor forming the first charge upon it, under the Act last cited, shall be and are hereby appropriated.

Form of Debentures.

VI. The Debentures to be issued under this Act shall be in such form, for such separate sums either in sterling or currency, at such rate of interest not exceeding six per centum per annum, and the interest and principal thereof shall be made payable at such period and places, as the Governor in Council shall deem most expedient and shall from time to time direct; and any moneys forming part of the said Fund and applicable to the re-payment of the said principal and interest and not immediately required for that purpose shall be invested, under the direction of the Governor in Council in Provincial securities, by the Receiver General.

VII. Out of the said sum of seventy five thousand pounds, there shall be set apart a proportionate sum, for the purpose of aiding the County Municipalities in those of the Districts mentioned in the Schedule in which no Court Houses and Gaols have at any time heretofore been built with funds belonging to this Province or to the Province of Lower Canada, and in which none will be built under this Act, in the construction of County Court Houses; and the sum so to be set apart shall bear the same proportion to that to be expended in those Districts in which Court Houses and Gaols are to be built under this Act, as the number of Rate-payers in the Districts for aiding which a sum is to be so set apart bears to that of the Rate-payers in the Districts in which Court Houses and Gaols are to be built under this Act.

Proportionate allowance to Districts where Court Houses are not built at public expenses.

VIII. And in order to the apportionment in the next preceding Section mentioned, it shall be the duty of the Secretary-Treasurers of the Municipalities in the several Districts in which no Court Houses or Gaols have been heretofore built with funds belonging to this Province or to the Province of Lower Canada, on or before the first day of *July* next after the passing of this Act, to transmit to the Receiver General a true Return of the number of Rate-payers appearing on the several Valuation Rolls of the said Municipalities, then last completed and in force, and to make an affidavit, to be written on each the said Returns, and sworn before a Justice of the Peace, of the correctness of such Return.

Provision for apportioning such allowance.

Duty of Treasurers.

IX. Any Secretary-Treasurer of any of the said Municipalities who shall fail to make any Return required by the next preceding section of this Act, by the time therein limited, shall be liable for each failure to a penalty of to be paid to the Receiver General for the use of the Province, which penalty may be sued for and recovered by the Crown in any Court of competent jurisdiction.

Penalty for default.

X. In case it should at any time appear that by reason of an erroneous return, too much money has been expended in or set apart for any District or County, the error shall be corrected by debiting or crediting the proper District or County, or if it be too late so to correct the error, the excess expended in or paid to any District or County, shall be recoverable as a debt due to the Crown from the County or Counties concerned.

Money paid through incorrect information to be refunded.

XI. The Districts referred to in this Act shall be understood to be those mentioned in the Schedule thereto; but nothing herein contained shall be construed as altering the limits of the present Districts for judicial purposes, or for any purpose except that of preparing, by the construction of the requisite buildings, for the future reorganization of the judicial system in Lower Canada.

Interpretation.

Accounting
clause.

XII. All moneys expended under the authority of this Act shall be accounted for to Her Majesty, in the manner provided by the Interpretation Act, and an account thereof shall be laid before the Provincial Legislature at the then next Session thereof.

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Short Title.

XIII. This Act shall be called, known and cited as the "Court House and Gaol Act of 1856."



SCHEDULE.

NAME OF DISTRICT.	PLACES COMPRISED.	DISTRICT TOWN.
Ottawa.....	Counties of Ottawa, and Pontiac.	Village of Aylmer.
Montreal.....	Counties of Hochelaga, Jacques Cartier, Laval, Vaudreuil, Soulanges, Laprairie, Chambly, and Verchères; and the City of Montreal.	City of Montreal.
Terrebonne....	Counties of Argenteuil, Two Mountains, and Terrebonne.	Village of St. Jérôme.
Berthier	Counties of L'Assomption, Montcalm, Joliette, and Berthier.	Village of Industrie.
Three Rivers ..	Counties of Maskinongé, St. Maurice, including the Town of Three Rivers. Champlain, St. Nicolet, and Yamaska	Town of Three Rivers.
Quebec.....	Counties of Portneuf, Quebec, Montmorency, and Levi; and the City of Quebec.	City of Quebec.
Saguenay	Counties of Charleroi, Saguenay, and Chicoutimi.	Village of Malbaie, or Murray Bay.
Gaspé	Counties of Gaspé, and Bonaventure.	Town of New Carlisle.

NAME OF DISTRICT.	PLACES COMPRISED.	DISTRICT TOWN.
Rimouski	County of Rimouski.	Village of Rimouski.
Kamouraska . . .	Counties of Kamouraska, and Temiscouata.	Village of Kamouraska.
Montmagny . . .	Counties of L'Islet, Montmagny, and Bellechasse.	Village of Montmagny.
Beauce	Counties of Beauce, and Dorchester.	Village of St. Joseph.
Lotbinière	Counties of Lotbinière, Megantic, and Arthabaska.	Village of Plessisville, in the Township of Somerset.
St. Francis	Counties of Richmond, (including the Town of Sherbrooke), Drummond, Wolfe, Compton, and Stanstead.	Town of Sherbrooke.
Bedford	Counties of Shefford, Missisquoi, and Brome.	Village of Waterloo.
St. Hyacinthe . .	Counties of Richelieu, St. Hyacinthe, Bagot, and Rouville.	Town of St. Hyacinthe.
Iberville	Counties of St. John's, Napierville, and Iberville.	Town of St. John's.
Beauharnois . . .	Counties of Huntingdon, Beauharnois, and Chateauguay.	Village of Durham.