

No. 186.

2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to detach the Settlements of Ste. Anne des Monts and Cape Chat from the Municipality of Gaspé, and to erect them into a separate Municipality.

Received and Read a first time, Monday, 19th
March, 1849.

Second Reading, Monday, 26th March, 1849.

Mr. CHRISTIE.

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186.

BILL.

An Act to detach the Settlements of Ste. Anne des Monts and Cap Chat from the Municipality of Gaspé, and to erect them into a separate Municipality.

WHEREAS it is expedient by reason of Preamble.
the distance at which the Settlements of Saint Anne des Monts and Cape Chat, on the south shore of the St. Lawrence, appertaining to the north division of the Municipality of Gaspé, are situate from Gaspé Basin, where the sittings of the said Municipality whereof they constitute a portion are by law holden, and the want of a road of communication between the said Settlements and the Bay of Gaspé, to detach the said Settlements from the said Municipality, and to authorize the inhabitant householders therein to organize and erect themselves into a separate and independent Municipality suitable to their local situation and circumstances, and for the regulation and government of their local concerns, and for this purpose to authorize and empower them from time to time as the occasion or increase of inhabitant householders in the said Settlements may call for or require, to re-form and re-organize themselves in such manner as they shall deem most conducive to their public and local interests, and the internal improvement of their localities; Be it therefore enacted, &c.

And it is hereby enacted by the authority of the same, That from and after the passing of this Act, the said Settlements of Ste. Anne des Monts and of Cape Chat shall be detached from the said Municipality called and known as the North Division of Gaspé, of which heretofore they made part, and that the inhabitant householders in the said two set-

Settlements of Ste. Anne des Monts and Cape Chat, set apart as a separate Municipality and incorporated as such.

lements shall from and after the passing hereof constitute a body corporate and politic by the name of *The Municipality of Ste. Anne des Monts*, and by that name have perpetual succession, may sue and be sued, and may or may not, as to the said Corporation shall seem meet, have a common seal, and shall have the power to take, hold and enjoy within the limits of such Municipality real property not exceeding the yearly value, in amount, of , and to alienate the same, and shall have all such other corporate powers as, though not expressly mentioned in and granted by this Act, shall be necessary for the due performance of the duties and the due exercise of the powers which are hereby imposed or conferred on the said Corporation.

Limits of Municipality may be more particularly described by order in Council.

10 and 11 Vic. c. 7, cited.

Corporation to be represented by a Municipal Council.

II. And be it enacted, That if it shall be found necessary at any time hereafter to define more particularly than hereinabove, the local limits of the said Municipality of Ste. Anne des Monts, it may be done by an Order or Orders in Council by the Governor or Person administering the Government of the Province for the time being, and the limits of the said Municipality being so defined and fixed, the said Corporation shall have and may exercise within such limits all and every the corporate and other powers given and conferred upon the Municipal Corporations by and in virtue of an Act passed in the tenth and eleventh years of Her Majesty's Reign, intituled, "*An Act to make better provision for the establishment of Municipal Authorities in Lower Canada,*" and this notwithstanding any repeal or modification of the said Act that may take place, and which shall nevertheless always be referred to, as that by which the powers hereby given to the said Corporation as well as the liabilities thereof shall be ruled.

III. And be it enacted, That the said Corporation shall be represented by a Municipal Council, to consist of the Councillors or

members chosen as hereinafter mentioned, and who shall perform the duties, and exercise the powers hereby conferred upon the said Corporation subject always to the liabilities 5 as in the like cases are provided in and by the above recited Act.

IV. And be it enacted, That in the course of the month of June next after the passing of this Act or as soon thereafter as may be, 10 it shall be the duty of the senior Justice of the Peace in concurrence with the two senior officers of Militia residing in the said settlements of Ste. Anne des Monts and Cape Chat, or either of them, to meet at such 15 place thereat as the said senior Justice of the Peace shall by writing designate for the purpose, and there to agree upon and make a division of the said settlements into Districts for the purposes of this Act, each consisting of not less than (twenty) heads of 20 families being inhabitant householders, and of which division and of the proceedings relative thereto, a memorandum or *procès verbal* signed by the said senior Justice and Militia 25 officers respectively, mentioning the names of the several inhabitant householders within each of the said Districts, shall be made, kept and preserved among the records and remembrances of the Corporation about to 30 be established.

Provision with respect to dividing the settlement into Districts for purposes of this Act.

V. And be it enacted, That the inhabitant householders in each of the said Districts shall meet at such time and place as shall be designated by an advertisement in writing, 35 signed by such Justice of the Peace and Militia officers, and posted up at the most public place in each of the said two settlements, at least eight days before the day fixed for the election and then and there shall choose 40 a fit and proper person as Councillor to represent them in the said Corporation, and whose election shall be certified to the said Justice of the Peace as soon thereafter as may be, by any three of the householders 45 present at the election, of all which the

Meetings of inhabitants of Districts for election of Councillors.

minutes and memoranda shall be kept among the records and remembrances of the said Corporation.

Councillors to remain in office two years, and may be re-elected.

VI. And be it enacted, That the persons so chosen, as above mentioned, Councillors, shall form the Municipal Council or Corporation of the aforesaid Municipality of Ste. Anne des Monts, and shall have the management of the affairs of the said Municipality, and shall respectively remain in office two years, and may again be elected as Councillors; and shall hold their first meeting at such time and place as the said senior Justice of the Peace shall fix for the purpose, giving previously due notice thereof in such manner as he shall think most expedient, and at which first meeting the said senior Justice of the Peace shall preside. 5 10 15

Election of Mayor.

VII. And be it enacted, That the said Municipal Council shall at its first meeting elect a Mayor, who shall remain in office during two years only, but may be re-elected thereto if the said Municipal Council or Corporation see fit, and the said Council shall have the power to make such rules and regulations not being contrary or repugnant to the laws of the Province, for the election of Councillors at the expiration of the said term of two years, and periodically thereafter for all time to come, and for the subsequent or periodical meetings or sessions of the said Municipal Council or Corporation, as it may deem proper and contributive to its more perfect organization and adaptation to the progressive increase in population, improvement and other circumstances and exigencies of the Municipality represented by the said Municipal Council; and may appoint a Secretary and Treasurer to the said Council, and such other officer or officers as from time to time the said Council shall see fit, with such salary or allowances from the funds of the said Municipality as the said Council or Corporation shall see fit, in compensation of their services respectively. 20 25 30 35 40 45

Appointment of Secretary and Treasurer.