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No. 212.

1st Session, 6th Parliament, 21 Victoria, 1858.

BILL.

An Act to incorporate the Village of Pembroke, in the County of Renfrew.

Received and read, first time, Friday, 4th
June, 1858.

Second reading, Tuesday, 8th June, 1858.

HON. MR. CAYLEY.

TORONTO.

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to incorporate the Village of Pembroke, in the County of Renfrew.

WHEREAS the inhabitants of the Village of Pembroke, in the County of Renfrew, have by their petition represented, that from the rapid increase of the population of the said Village, it has become necessary to confer upon it corporate powers, and prayed that it may be incorporated accordingly, and it is desirable to grant the prayer of the said petition; Therefore, Her Majesty, &c., enacts as follows :

I. From and after the passing of this Act, the inhabitants of the Village of Pembroke shall be a body corporate apart from the Township of Pembroke, in which the said Village is situate, and as such shall have perpetual succession and a common seal with such powers and privileges as are now or shall be hereafter conferred on incorporated villages in Upper Canada, and the powers of such Corporation shall be exercised by, through, and in the name of the Municipality of the Village of Pembroke.

II. The Incorporated Village of Pembroke shall comprise the limits and boundaries of the present Police Village of Pembroke as defined by the County Council of the United Counties of Lanark and Renfrew, and shall be composed of those parts of lots numbers thirty-one, thirty-two, thirty-three, and thirty-four, in the second concession, lying north of the Bytown and Pembroke Road, as recorded in the registry office of the County of Renfrew, in the Village plan of the said Village, registered according to law, and also of lot number sixteen in the first Concession of the said Township of Pembroke, in the County of Renfrew.

III. The Municipal Council of the Township of Pembroke shall and may after the passing of this Act, and within ten days thereafter, appoint a fit and proper person to be Returning Officer for holding the first Municipal election in and for the said Village of Pembroke, under this Act, which Returning Officer shall appoint a time and place for holding such election, of which appointment he shall give notice in the Newspaper published in the said Village, ten days before the said election.

IV. The duties of the said Returning Officer, and the qualifications of voters and persons elected as Councillors at such first election, shall be as prescribed by law with respect to Townships in Upper Canada.

V. The Collector or Township Clerk of the Township of Pembroke,

Preamble.

Pembroke incorporated as a Village.

Boundaries of Village of Pembroke.

Municipal Council to appoint Returning Officer.

Notice of election.

Returning Officer's duties.

Copy of Collector's Roll

to be furnished to Returning Officer.

or other person having the legal custody of the Collector's Roll of that Township, for the year of Our Lord one thousand eight hundred and fifty-eight, shall furnish to the said Returning Officer on demand made by him for the same, a true copy of such Roll, and so far as such Roll contains the names of the male freeholders and householders rated upon such Roll, in respect of real property lying within such limits, the amount of the assessed value of such property for which they shall be respectively rated on such Roll, which copy shall be verified on oath; or as is now required by law. 5

Returning Officer to be sworn.

VI. The said Returning Officer, before holding the said election, shall take the oath or affirmation now required by law to be taken by Returning Officers for incorporated Villages in Upper Canada. 10

Subsequent elections to be as in other places.

VII. Elections for Councillors for the said Village of Pembroke, after the year one thousand eight hundred and fifty eight, shall be held in conformity with the provisions of law applying to incorporated Villages in Upper Canada. 15

Oaths of officers, &c.

VIII. The several persons who shall be elected or appointed under this Act shall take the oath of office and of qualification now prescribed by law.

Number and powers of Councillors, &c.

IX. The number of Councillors to be elected under this Act shall be five, and they shall be organised as a Council in the same manner as in Villages incorporated under the provisions of the Upper Canada Municipal Acts, and have, use and exercise, the same powers and privileges as in the said incorporated Villages. 20

Village to be separate from Township.

X. From and after the passing of this Act, the said Village shall cease to form part of the said Township of Pembroke, and shall to all intents and purposes form a separate and independent Municipality, with all the privileges and rights of an Incorporated Village in Upper Canada; but nothing herein contained shall affect or be construed to affect any taxes imposed for the payment of any debts contracted by the Township of Pembroke aforesaid, but the said Village of Pembroke shall be liable to pay to the treasurer of the Township of Pembroke aforesaid, in each and every year until any such existing debt be fully discharged, the same amount which was collected in the year, for the payment of such debt, within the said described limits of the said Village. 25 30 35

Proviso, as to existing debts.

New Township Councillors to be elected in place of any residing in said Village.

XI. Any Councillor elected to serve in the Township Council of the said Township of Pembroke, for the present year, and residing within the limits of the said Village, as above prescribed, shall immediately on the passing of this Act, cease to be such Councillor, and the duly qualified electors of the said Township of Pembroke not included in the said limits, shall thereupon proceed to elect a new Councillor or Councillors, as the case may be, to serve in the Council of the said Township for the remainder of the year, as in the case of the death or resignation of Councillors provided for by the Municipal Acts of Upper Canada. 40 45

Township officers not to collect any taxes within the Village during 1858.

XII. The officers of the said Council of the Township of Pembroke shall not proceed to collect any rate or assessment imposed by the said Council for the present year, within the limits of the said Village, but

- the amount which may be required for the purposes of the Village for present year shall be based on the assessment of the Township Assessor for the present year, and shall be collected by the officer or officers to be appointed by the said Village Council for that purpose; Provided always, that nothing herein contained shall affect any school section or school rate for the present year, nor the right of any school section to any money already set apart for school purposes; And provided further, that the said Village of Pembroke shall be entitled to recover from the said Township of Pembroke, such share of all moneys apportioned to the said Township from the Upper Canada Municipalities Fund, prior to the passing of this Act, as shall bear the same proportion to the whole sum so apportioned to the said Township as the number of rate-payers resident within the limits of the said Village, as shewn by the Collector's Roll of 1857, bears to the whole number of rate-payers of the said Township; And also provided further, the said Village of Pembroke shall be entitled to recover from the said Township of Pembroke, all money which may have been collected by the said Township for all tavern, shop and auctioneer licenses granted within the limits of the said Village of Pembroke for the year 1858.
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- XIII. The Clerk of the said Township shall, and he is hereby required to furnish to the Clerk to be appointed by the Council of the said Village, on demand made to him therefor, a true copy of the assessment roll for the present year, so far as the same shall contain the rateable property assessed within the said Village, and the names of the owners thereof.
- XIV. The expenses of any assessment made for the present year, so far as the same shall relate to assessments made within the limits of the said Village, and the expenses of furnishing any documents or copies of papers and writings by the Clerk or other officer of the Council of the said Township hereinbefore referred to or required to be furnished, shall be borne and paid by the said Village Council to the said Township Council or otherwise, as the said Township Council may require.

How Village tax to be raised.

Proviso, as to school rate.

Proviso, as to share of Clergy Reserve Fund.

Proviso, as to tavern, shop, and auctioneer licenses, for year 1858.

Requisite proportion of assessment roll to be furnished for said Village.

As to expenses of assessments &c., for 1858.

XV. This Act shall be deemed a public Act.

Public Act.