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1st Session, 7th Parliament, 25 Victoria, 1862.

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**BILL.**

An Act to erect the Parish of St. Pierre de  
Durham, in the County of Drummond,  
into a separate Municipality.

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Received and read, first time, Friday,  
25th April, 1862.

Second reading, Monday, April 28, 1862.

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Mr. DORION.

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**QUEBEC :**

PRINTED FOR THE CONTRACTORS BY HUNTER,  
ROSE & LEMIEUX, ST. URSULE STREET.

An Act to erect the Parish of St. Pierre de Durham, in the County of Drummond, into a separate Municipality.

**WHEREAS** the Township of Durham, in the County of Drummond, Preamble.  
 is extensively settled throughout, and whereas it contains three centres of business and population, represented by the the three villages of Durham, South Durham, and L'Avenir, which are from six to ten miles distant, the one from the other, whose local interests are at variance and therefore detrimental to the well-working of the Municipal law in that locality, and it is desirable to divide the said Township into at least two separate Municipalities; and whereas a part of the said Township has lately been canonically erected into a Parish, and a great number of the inhabitants interested have, by petition, prayed for the passing of an Act to erect the said Parish into a separate Municipality;

Therefore, Her Majesty, &c., enacts as follows :

1. Upon the first Tuesday of the month of July next, the territory Municipality of L'Avenir erected.  
 comprised within the limits of the Parish of St. Pierre de Durham, in the County of Drummond, as erected by canonical decree, shall be detached from the Township of Durham, and the inhabitants thereof shall be and are hereby created a Corporation or body politic under the name of "the Corporation of the Municipality of L'Avenir," for all municipal purposes whatsoever, as if the erection of the said Municipality had taken place in the usual way in accordance with the provisions of the "Act respecting Municipalities and Roads in Lower Canada," and the Act amending the same.

2. On the first Tuesday of the month of July next, the inhabitants President of first Municipal Election.  
 of the said Municipality, entitled to vote at Municipal Elections, shall meet in the Village of L'Avenir, at ten o'clock in the morning, and shall elect, by a majority of the votes of the electors present, a Chairman, to preside at the said meeting, who shall be invested with all the powers and duties assigned by the said Acts to the person presiding at every Municipal Election. Public Notice of such meeting shall be given by not less than three electors, eight days previous to the day fixed for the meeting.

3. At the said meeting, before proceeding to the election of Councillors for the said Municipality, in case ten or more of the electors present, and entitled to vote, make a demand in writing for a poll, to decide whether the incorporation under this Act shall be effected, the person presiding shall record, or cause to be recorded, the votes of the electors present, upon the said question, in a poll-book, to be kept for that purpose, and if a majority of these votes are not given in the affirmation, the said election shall not be proceeded with, but if there be such majority, the said first municipal election shall be proceeded with, and if necessary, the meeting may be adjourned until the following day, in order to continue the election. Electors first to decide as to separate erection.

Poll to be  
open till 5  
P.M.

4. If a poll-book be opened for the recording of votes upon the question of the erection of the said Municipality, it shall be closed at five o'clock in the afternoon, and the Chairman shall then announce the state of the poll, by declaring which side has the majority; then, if it be in favor of the incorporation, he shall adjourn the meeting till the next morning, at nine o'clock, to proceed to the election of Councillors. 5

Election of  
Councillors.

5. The Chairman of the meeting shall, on the second day at the hour mentioned in the preceding section, if thereto required by three qualified electors; open a poll-book in which he shall inscribe, or cause to be inscribed, all the names of voters qualified to vote in the said Municipality, and who shall present themselves to vote, but if he be not required so to do, he shall declare duly elected Councillors the persons who shall have the majority of the electors present in their favor.

Poll Books.

6. If a Poll-book for the registration of the votes for the candidates be opened, it shall be so opened with the formalities, and for the time prescribed by the Lower Canada Consolidated Municipal Act.

Future Elec-  
tions.

7. The first election of Councillors for the said Municipality having been made, all future elections shall be made at the time and in the manner required by the Act cited in this Act.

Powers and  
duties of  
Municipal  
Councils.

8. The Municipal Council of the said Municipality may elect its Mayor, appoint its Officers and all persons required to carry out the Act aforesaid, complying with the provisions thereof as regards notices to be given, and do all things within the limits of its jurisdiction, as if it had been organized in January, 1862, and the Councillors and Officers so appointed shall remain in office until the appointment of their successors in the ordinary course of the Municipal law. 25

Valuation  
Roll.

9. If the Council think proper to do so, it may obtain from the Municipal Council of the County of Durham, an extract, certified by the Secretary-Treasurer of the latter Municipality, of the valuation-roll made in 1860, of all the properties situated within the limits of the said Parish, and such certified extract, shall serve as a valuation-roll for the Municipality, until another shall have been made. 30

Remainder of  
Township of  
Durham.

10 That part of the Township of Durham, situated beyond the limits of the Parish aforesaid, shall continue to form a Municipality under its present designation. 35

As to debts  
previously  
incurred.

11. Nothing herein contained, or that may be authorized or done in pursuance of this Act, shall have the effect of releasing any part of the territory so detach, from the debts or obligations contracted before the passing of this Act, by the Municipality of which it formed a part.

Public Act.

12. This Act shall be deemed a Public Act.

40