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No. 82.

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

(LOCAL BILL.)

BILL.

An Act to divide the Township of Hemmingford, in the County of Huntingdon, into two Municipalities.

(Corrected Copy.)

Received and read, first time, Friday, 23rd April, 1858.

Second reading, Monday, 25th April, 1858.

MR. SOMERVILLE.

TORONTO:
PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to divide the Township of Hemmingford, in the County of Huntingdon, into two separate Municipalities.

WHEREAS certain of the inhabitants of the Township of Hemmingford, in the County of Huntingdon, have, by their petition, represented, that the welfare and convenience of those residing in the western section of the said Township would be greatly promoted if the said Township of Hemmingford were divided into two municipalities, and have prayed that it may be so divided; and it is expedient to grant their prayer; Therefore Her Majesty, &c., enacts as follows:

I. Upon, from and after the day of _____, 1858, so much of the present Township of Hemmingford as lies in the first range of said Township, from lot number twenty-one to lot number forty-two; in the second range, from the centre of the by-road on lot number seventy-two to lot number ninety-three; in the third range, from the centre of the said by-road, on lot number one hundred and eighteen to lot number one hundred and thirty-seven; in the fourth range, from the centre of the said by-road, on lot number one hundred and sixty to lot number one hundred and seventy-four; in the fifth range, from lot number one hundred and ninety-seven to number two hundred and six; in the first range of the Clergy Reserve lands, in the said Township, from lot number eleven to lot number fifteen, and lots numbers ten and eleven in the second range of the said Clergy Reserve lands,—including all lots and parts of lots herein above mentioned,—shall be separated from the present Township of Hemmingford, and shall form a distinct Township and Local Municipality, under the name of the Township of Havelock, and the said Township of Havelock shall hereafter be deemed to be such separate Municipality for all municipal, school, judicial and other purposes whatsoever, in the same manner and to all intents and purposes as though the said Township of Havelock had always been distinct from, and had never formed part of the said Township of Hemmingford, and shall enjoy and exercise all the rights, powers and privileges conferred by any Acts or laws whatsoever upon Township Municipalities in Lower Canada; and the remainder of the said present Township shall constitute and remain the Township Municipality of Hemmingford, and so many of the present Municipal Councillors and School Commissioners as reside within the Township of Hemmingford hereby constituted shall, notwithstanding this Act, remain in office, and continue to be members of the Municipal Council and School Commissioners for the Township of Hemmingford as limited by this Act, until they vacate their seats in due course of law.

Preamble.

New township of Havelock described, and constituted after 1858.

To be a township for all purposes.

Remainder of Hemmingford to continue a township.

First election
of Councillors
and School
Commission-
ers for
Havelock.

II. Within one month next after the passing of this Act, an Election of Councillors and of School Commissioners shall be held in each of the said Municipalities hereby constituted, upon notice to that effect, to be given by the Senior Justice of the Peace therein, or, in his default, by three electors of each of the said Municipalities respectively; and so many Councillors and School Commissioners shall be elected for the new Township of Hemmingford as, after the passing of this Act may be required to fill the vacancies caused in the Council or the School Commission of the said Township by the residence of any of the present Councillors or School Commissioners being without the limits thereof, and seven Councillors shall be elected to form the Council of the said Municipality of Havelock, by the inhabitants of the said Townships respectively, entitled to vote at such elections, in the manner prescribed by the Lower Canada Municipal and Road Act; and the said last Council shall be subject to the provisions of the said Act, with respect to Local Councils; and the said Municipality and Council shall be invested with all the powers by the said Act conferred upon Local Municipalities and Councils; and the School Commissioners so elected shall have and exercise all the powers and authority of School Commissioners under the School laws in force in Lower Canada; and the said new Municipality shall enjoy all the rights, powers and privileges conferred upon School Municipalities by the said School Laws.

Present municipal officers.

III. The present Municipal Officers of the Township of Hemmingford shall retain the same office in that one of the Municipalities hereby constituted, in which they reside respectively, and the vacancies in each Municipality shall be filled in the manner provided by the said Lower Canada Municipal and Road Act.

How the present liabilities of the township of Hemmingford shall be discharged.

IV. The present debts, obligations, and liabilities of the present Township of Hemmingford (if any there be) shall be assumed by the Township of Hemmingford as hereafter to be constituted; and to enable the said Township to provide for the payment thereof, the Municipality thereof shall be entitled to have and receive all rates and assessments which may be due and collectable in the present Township of Hemmingford at the time of the passing of this Act, and in the event of the amount received from such rates and assessments not being sufficient for the payment in full of the said liabilities, it shall be lawful for the County Council of the County of Huntingdon to pass a By-law, providing for a special assessment to be levied in the Township Municipalities hereby constituted of an amount sufficient for the complete discharge of joint debts and liabilities as may be then still unprovided for.

Disposal of any surplus in the hands of former secretary-treasurer.

V. And in the event of any surplus funds remaining in the hands of the Secretary-Treasurer for the present Township of Hemmingford, after all the liabilities of the said Township have been paid and satisfied, it shall be the duty of the said Secretary-Treasurer to make an apportionment thereof between the two Municipalities hereby constituted, such apportionment to be based upon the value of the assessable property in each of the said Municipalities, as shewn by the last Valuation Roll for the present Township of Hemmingford.

Public Act.

VI. This Act shall be deemed a public Act.

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