

5. This act shall come into force on the day of the Act in force. sanction thereof.

C A P. X L V I I.

An act to erect the village of West Farnham into a town.

[Assented to 28th December, 1876].

WHEREAS the increase of the population of the Preamble. village of West Farnham, and the provisions of the municipal laws do not allow the inhabitants thereof to undertake the improvements they propose, and whereas the municipal council of the said village has represented that it is necessary that more ample provisions be made, and whereas it is desirable that the said village should be incorporated as a town under the name of the town of Farnham; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. From and after the passing of this act, the inhabitants Town erected. of the town of Farnham, as hereinafter described, and their successors, shall be and they are hereby declared to be a body politic and corporate in fact and in law, under the name of "The mayor and council of the town of Farnham," and separate from the county of Missisquoi, for all municipal purposes; and under such name, they and their successors shall have perpetual succession, and shall be capable of Corporate name. appearing in law, suing and being sued in all courts and in all actions, causes and complaints whatsoever, and they shall General powers. have a common seal which they may change and modify Seal. at pleasure, and shall in law be capable of receiving by gratuitous title, acquiring, holding, transferring and alienating property, movable and immovable, for the use of the said town, of becoming parties to all contracts or agreements in the management of the affairs of the said town, and of giving or accepting all notes, bonds, obligations, judgments or other instruments or securities for the payment of, or for insuring the payment of, any sum of money borrowed or loaned, or for the execution of any other duty, right or thing whatsoever.

2. The limits and boundaries of the town of Farnham Boundaries. shall be the following:

1. The limits of the said town shall be the same as those of the village of West Farnham, with an additional extent of forty perches, French measure, commencing from the limits of the said village, and at all points of the said limits to extend the same distance of forty perches.

Wards.

2. The said town shall be divided into four wards which shall respectively be designated and known as : ward number one; ward number two; ward number three, and ward number four.

No. 1 ward.

Ward number one shall include all that part of the said town situated in and forming part of lots numbers forty-five and forty-six, in the fourth and fifth ranges of the south side of the river Yamaska.

No. 2 ward.

Ward number two shall include all that part of the said town situated on lots numbers forty-three and forty-four of the fourth and fifth ranges of the south side of the said river.

No. 3 ward.

Ward number three shall include all that part of the said town situated on lots numbers forty-one and forty-two of the fourth and fifth ranges of the south side of the said river.

No. 4 ward.

Ward number four shall include all that part of the said town situated on lots numbers forty-one, forty-two, forty-three, forty-four, forty-five and forty-six of the fifth range on the north side of the said river.

40 V., ch. 29,
to apply.
(General
clauses act).
Exceptions.

3. The town corporations' general clauses act, 40 Vict., ch. 29, shall be followed and carried out as being the special act in force for the said corporation of the town of Farnham, with the modifications and changes which follow :

Revision of
ward bounda-
ries.

1. The council of the town of Farnham shall have full power and authority to revise and change by by-law passed in the usual manner, the boundaries of the various wards of the said town, if deemed necessary to do so, for the better administration of the affairs of the said town; provided always that it shall and may be lawful for any proprietor of land immediately adjacent or contiguous to the limits of the said town of Farnham; by means of a notice given by such proprietor to the municipal authorities of the said town, and the consent of the said authorities signified by a by-law passed by them for such purpose, in the usual manner, to demand and obtain that the said property be included in the limits of the said town, and so on successively for other proprietors having property adjacent to the properties thus successively included in the limits of the said town as aforesaid, and upon such property being declared to be included by by-law as herein above provided, the said proprietors, whose properties shall be included within the limits of the said town of Farnham, shall have and possess all municipal privileges, and shall be subject to all the by-laws, obligations, duties and charges imposed upon the persons and property originally included within the limits of the said town.

Gradual an-
nexation of
territory.

Effect of an-
nexation.

Election of
the mayor and
of six coun-
cillors.

2. There shall be elected, from time to time, in the manner hereinafter provided, a proper person to be called

"the mayor of the town of Farnham," and six competent persons to be, and who shall be called, "the councillors of the town of Farnham"; such mayor shall be elected by the majority of votes taken in the whole town, and such councillors elected by the majority of the votes of electors of each respective ward, to wit : one for ward number one, three for ward number two, one for ward number three and one for ward number four; and such mayor and councillors so elected shall form the council of the said town, and shall be designated as such; the quorum shall be four. Quorum.

3. No person shall be elected mayor or councillor of the town of Farnham, unless he shall have resided and kept house in the said town, during one year next preceding such election, and unless he is possessor as proprietor in his own name or in that of his wife, of immovable property in the said town, of the value of four hundred dollars, after payment or deduction of his just debts. Qualifications.

4. The persons who shall have a right to vote at any municipal election in the said town shall be the male inhabitants thereof, freeholders and householders, of the full age of twenty-one years, residing in the said town, and in actual possession of immovable property in the said town of the real value of fifty dollars, or occupants of a property of the annual value of twelve dollars, and also tenants of the full age of twenty-one years and who shall have resided and paid rent in the said town, at a rate not less than eighteen dollars per annum, for a house or part of a house, during the year which shall have immediately preceded the election; provided always that no person qualified to vote at a municipal election in the said town, shall have a right to have his vote recorded unless he shall have paid his municipal taxes due before such election; and it shall be lawful for any candidate at such election and for the officer presiding at such election, to exact the production of the receipts or the proof establishing the payment of such taxes due as aforesaid. Electors. Payment of taxes necessary. Proof.

5. Persons having a right to vote at municipal elections as aforesaid, shall vote in the particular wards in which are situated the properties which qualify them to vote. Votes, where given.

6. Municipal elections of the said town shall be held every two years, on the second Monday in January, or on the following day, if such Monday be a holiday, and shall be announced by public notice in French and English posted up during the eight preceding days in the hall wherein are held the meetings of the said council, and upon the door of the parish church; and such notice shall be signed by the mayor of the said council, and contain the day, place and hour fixed for the holding of the said election in each ward of the said town. The notices for the first Time of elections. Notice. Notice for 1st election.

Presiding
officer at 1st
election.

election shall be signed by the mayor of the village of West Farnham, or on his refusal, by one of the councillors of the said village; the said mayor or councillor shall appoint the officer to preside at such first election.

Election.

7. The mayor of the said town shall be elected by the majority of the votes of all the electors of the said town qualified as aforesaid, recorded in the place designated by the said town council and indicated in the notice above mentioned.

Subsequent
elections;
presiding
officer.

8. Before the publication of the notices announcing such subsequent annual municipal election, the council of the said town shall appoint an elector to preside over and conduct the said election, and such town council shall designate

Places.

the places in which such election shall be held in each ward; such presiding officer, having under him in each

Deputies.

poll a deputy appointed and paid by the council for each ward of the said town, and for the poll in which shall be

Polls.

held the election for mayor; and the polls shall be open in each ward for the reception and enregistration of votes from ten o'clock in the morning until five o'clock in the afternoon of the day fixed for such election; in the event, however, of the said election not being by acclamation, at the closing of the poll, the officer presiding

Declaration.

over the election or the said deputies, shall declare the person or persons who shall have received the greatest number of votes, duly elected mayor or councillors of the said town; in the case in which two or more candidates for mayor shall have received an equal number of votes, the officer presiding over the election shall have

Casting vote.

a casting vote in favor of one of them; and in the case in which the candidates for the office of councillor shall, at any poll, have an equal number of votes, then the deputy, acting at such poll, shall give his vote in favor of one of the candidates; and the officer presiding over the election shall, within three days after such election, give notice in writing to those persons who have been elected, of their election.

Polls.

9. If one hour after the opening of the meeting more than one candidate is nominated for the office of mayor, or more candidates than there are councillors to be elected, then the officer presiding or the deputy, at the request of twelve electors, shall proceed without delay to hold a poll and to record the votes of the electors in the manner provided by this act.

Old municipal
acts continued.

4. All the by-laws, ordinances, agreements, provisions, engagements, contracts and things passed and consented to by the council of the village of West Farnham, shall continue to have their full force and effect in the said town of Farnham, in the same manner as if this act had not been passed; and this until the said by-laws, agree-

ments and contracts shall have been regularly rescinded or completed by the corporation of the said town; and the said corporation as constituted by the present act shall succeed and be substituted, for all purposes whatsoever, to and in the obligations, rights and claims of the municipal council of the village of West Farnham.

Substitution
of new corpo-
ration.

5. The said council shall have the right of passing by-laws for making and maintaining bridges, discharges, slides, crossings and fences, any law to the contrary notwithstanding.

By-laws.

6. The said council shall continue alone to have the right of granting and delivering certificates to obtain tavern licenses, any law, usage and municipal by-law to the contrary notwithstanding.

License certi-
ficates.

And the said council shall have power to pass by-laws:

1. To govern and manage all shops, tavern-keepers and persons selling spirituous, vinous and fermented liquors, in retail, in any place whatever, as they may deem necessary and useful for the prevention of drunkenness;

Shops, etc.

2. To prevent the sale of any intoxicating liquor to any minor, apprentice or servant.

Servants, etc.

7. The town council may, at any time, enter into any agreements it may deem expedient, in the interests of the said town, with any person or company having established or intending to establish any industry or manufactory within the town limits; and to assist and encourage such industry and manufactory, the said council may make a gratuitous or onerous gift of any sum of money, land or material, payable within the delays established by such council, and all such sums of money, interest, gratuitous or onerous gift, shall only be so granted to aid such industry or manufactory after a by-law for that purpose, containing the conditions of such aid, shall have been adopted by a majority of the said council, and provided also that such by-law, having been submitted to the approval of the electors of the said town, shall have been ratified by a majority of the said electors.

Encouraging
industry.

Means.

Conditions.

8. The first municipal elections of the said town shall be held in the month of January, 1878, and then subsequently every two years as provided in this act.

1st election.

9. The mayor and councillors of the village of West Farnham shall continue to be the mayor and councillors of the said town until replaced as aforesaid.

Present
mayor and
councillors.

Approval of
by-laws.

10. Whenever any by-law shall be submitted to the approval of the electors, it shall be so submitted in conformity with, and as provided for in the said town corporations' general clauses act.

Qualification
required for
mayor.

11. In paragraph four of section 39 of the said town corporations' general clauses act, and in the third line thereof, the words "one thousand" shall be replaced by the words "four hundred."

Exceptions to
40 V., c. 29.

12. Sections 18, 50, 52, 57, 58, 63, 64, 70, 79, 80, and 88 of the said town corporations' general clauses act, shall be expressly excepted, and shall not form part of the laws governing the said corporation of the town of Farnham.

Act in force.

13. This act shall come into force on the day of its sanction.

CAP. XLVIII.

An act to consolidate and amend the act to incorporate the town of Berthier and the act which amends the same.

[Assented to 28th December, 1876.]

Preamble

WHEREAS the act of the parliament of Canada, passed in the twenty-ninth year of the reign of Her Majesty, chapter 61, intituled: "An act to incorporate the village of Berthier as a town," and the act which amends the same, have become insufficient, and whereas it is expedient to enact new provisions relating to the corporation of the town of Berthier; and whereas a petition has been to that end presented and it is advisable to grant the prayer thereof; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Corporation
continued.

Name.

Seal.

Certain
powers.

1. The inhabitants of the town of Berthier, as herein after described, and their successors, have been and are a body politic and corporate under the name of "The mayor and council of the town of Berthier." They shall have a common seal, with power to alter and modify the same at pleasure, and shall be capable of giving or accepting any notes, bonds, obligations or other instruments or securities for the payment of any sum of money borrowed or loaned, and for the execution of any other duty, right or thing whatsoever.