

Laws of Her Majesty's Province of Upper Canada, passed in the year 1849. Montreal: Stewart Derbshire & George Desbarats, 1849.

12 Victoria – Chapter 123

An Act to divide the County of Berthier into two Municipalities, and for other purposes relative to the said County. 25th April, 1849.

Whereas by reason of the great distance at which the remote Parishes of the County of Berthier are situate from the place of holding the sittings of the Municipal Council of the said County, it has been found difficult to secure the attendance of all the Councillors for the said localities, and for remedy thereof it is expedient to divide the said County into two Municipalities: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council, and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That from and after the first day of July next after the passing of this Act, the said County of Berthier shall be divided into and form Two Separate and Distinct Divisions, the first whereof shall consist of the Parishes of Lavaltrie, Lanoraie, Dautré, Berthier, l'Isle du Pads, and the other Islands within the said County, St. Berthélemy, St. Cuthbert, St. Norbert, St. Gabriel, the Township of Brandon, and the Parish of St. Elizabeth, together with all the Augmentations of the said Parishes and Township, and shall be called The Municipality of Berthier, Number One, and the place of holding the sittings of the Municipal Council of the said Division shall be in the said Parish of Berthier; and the second Division of the said County shall consist of the Parishes of St. Paul, St. Charles Borromée, St. Ambroise, and St. Alphonse de Kildare, St. Melanie de Daillebout, St. Felix de Ramsay, and St. Thomas, together with the Augmentations of the said Parishes, and shall be called The Municipality of Berthier, Number Two, and the place of holding the sittings of the Municipal Council of the said Division shall be at Industry Village, in the said Parish of St. Charles Borromée; and each such Division shall be a Municipality in the same manner as any County Municipality provided by the Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, and intituled, *An Act to make better provision for the establishment of Municipal Authorities in Lower Canada*, and shall have and exercise and possess within the limits hereby assigned to it, all and every the corporate or other powers given and granted by the said Act to County Municipalities.

II. And be it enacted, That at the first annual Election of Councillors for the said Municipalities, those of the Councillors now in office, who but for this Act would remain in office, shall nevertheless remain in office, and shall represent the localities for which they are respectively elected, in the Municipal Councils of the divisions in which such localities are respectively situate, until the period for which they shall have been elected shall expire.

III. And be it enacted, That all By-laws of the Municipal Council of the now existing Municipality of the said County, shall remain in full force and effect as By-laws of each of the said new

Municipalities respectively, until altered or repealed by any By-law to be passed by the said Municipalities respectively; and all moneys in the bands of the Secretary-Treasurer of the said Municipality shall, after paying therefrom all debts due by the said Municipality, be divided between the said two Municipalities in proportion to the amount levied in each respectively.

IV. And whereas difficulties have arisen in consequence of its being provided by the above recited Act, that the limits of Villages shall be fixed by the Municipal Council of the County in which such Villages are situate; For remedy thereof—Be it enacted, That on a Petition from thirty landholders of any such Village in either of the Municipalities hereby erected, to the Governor in Council, praying that limits be assigned to such Village in order that it may be incorporated, the said inhabitants proving to the satisfaction of the said Governor in Council, that such Village contains forty houses or upwards within a space of thirty superficial arpents or acres, it shall be lawful for the said Governor in Council, by Proclamation, to fix the limits and boundaries of such Village, and such Village shall thereupon be a Corporation to all intents and purposes, and shall be subject to all and every the provisions of the above mentioned Act, with respect to Incorporated Villages, as if the said inhabitants had petitioned the Municipal Council of the Municipality wherein such Village is situate, to have limits assigned to such Village and such limits had been assigned by such Municipal Council and confirmed by Proclamation of the Governor in Council; any thing in the above recited Act to the contrary notwithstanding.