

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

12 Victoria – Chapter 126

An Act detaching the Settlements of Ste. Anne des Monts and Cap Chat, from the Municipality of Gaspé, and to erect the same into a separate Municipality. 30th May, 1849.

Whereas it is expedient by reason of the distance at which the Settlements of Sainte Anne des Monts and Cap Chat, on the south shore of the St. Lawrence appertaining to the north division of the Municipality of Gaspé, are situate from Gaspe Basin, where the sittings of the said Municipality are by Law holden, and the want of a Road of communication between the said Settlements and the Bay of Gaspé, to detach them from the said Municipality, and to authorize the inhabitant householders therein, to organize and erect themselves into a separate and independent Municipality, suitable to their local situation and circumstances, and for the regulation and government of their local concerns, and for this purpose to authorize and empower them from time to time as the occasion or increase of inhabitant householders in the said Settlements may call for or require, to re-form and re-organize themselves in such manner as they shall deem most conducive to their well being and interests, and the internal improvement of their localities: 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 passing of this Act, the said Settlements of Ste. Anne des Monts and of Cap Chat, shall be and the same hereby are detached from the said Municipality, called and known as the North Division of Gaspé, of which heretofore they made part, and that the inhabitant householders in the said two Settlements, shall from and after the passing hereof, constitute a Body Corporate and Politic, by the name of The Municipality of Ste. Anne des Monts, and by that name have perpetual succession, may sue and be sued, and may or may not, as to the said Corporation shall seem meet, have a Common Seal, and shall have the power to take, hold and enjoy within the limits of such Municipality, real property not exceeding the yearly value in amount of one hundred pounds, and to alienate the same, and shall have all such other corporate powers as, though not expressly mentioned in and granted by this Act, shall be necessary for the due performance of the duties, and the due exercise of the powers which are hereby imposed or conferred on the said Corporation.

II. And be it enacted, That if it shall be found necessary at any time hereafter to define more particularly than hereinabove the limits of the said Municipality of Ste. Anne des Monts, it may be done as often as necessary by an Order or Orders in Council, by the Governor or Person administering the Government of the Province for the time being, and the limits of the said Municipality being so defined and fixed, the said Corporation shall have, and may exercise within such limits all and every the corporate and other powers given and conferred upon the Municipal Corporations, by and in virtue of an Act passed in the tenth and eleventh years of Her Majesty's

Reign, intituled, *An Act to make better provision for the establishment of Municipal Authorities in Lower Canada*, and this notwithstanding any repeal or modification of the said Act that may take place, and which shall nevertheless always be referred to, as that by which the powers hereby given to the said Corporation, as well as the liabilities thereof shall be ruled.

III. And be it enacted, That the said Corporation shall be represented by a Municipal Council, to consist of the Councillors or Members chosen as hereinafter mentioned, and who shall perform the duties, and exercise the powers hereby conferred upon the said Corporation, subject always to the liabilities as in the like cases are provided in and by the above recited Act.

IV. And be it enacted, That in the course of the month of July next, after the passing of this Act, or as soon thereafter as may be, it shall be the duty of the senior Justice of the Peace, in concurrence with the two senior Officers of Militia, residing in the said Settlements of Ste. Anne des Monts and Cap Chat, to meet at such place in Ste. Anne des Monts, as the said senior Justice of the Peace, shall by writing designate for the purpose, and there to agree upon and make a division of the said Settlements into Districts or Divisions for the purposes of this Act, each consisting of not less than twenty heads of families each being an inhabitant householder, and of which division and of the proceedings relative thereto, a memorandum or *procès-verbal* signed by the said senior Justice and Militia Officers respectively, mentioning the names of the several inhabitant householders within each of the said Districts or Divisions, shall be made, kept and preserved among the records and remembrances of the Corporation about to be established.

V. And be it enacted, That the inhabitant householders whose names shall have been so taken and recorded in each of the said Districts or Divisions, shall meet at such time and place as shall be designated by an advertisement in writing, signed by such Justice of the Peace and senior Militia Officers, and posted up at the most public place in each of the said two Settlements, at least eight days next before the day fixed for the Election, and then and there shall choose a fit and proper person as Councillor, to represent them in the said Corporation, and whose Election shall be certified to the said Justice of the Peace, as soon thereafter as may be, by any three of the householders present at the Election, of all which the minutes and memoranda shall be kept among the records and remembrances of the said Corporation.

VI. And be it enacted, That the persons so chosen, as above mentioned Councillors shall form the Municipal Council or Corporation of the aforesaid Municipality of Ste. Anne des Monts, and shall have the management of the affairs of the said Municipality, and shall respectively remain in office two years, and may again be elected as Councillors, and shall hold their first meeting at such time and place as the said senior Justice of the Peace shall fix for the purpose, giving previously due notice thereof, in such manner as he shall think most expedient, and at which first meeting the said senior Justice of the Peace shall preside.

VII. And be it enacted, That the said Municipal Council, shall at its first meeting elect a Mayor, who shall remain in office during two years only, but may be re-elected thereto, if the said Municipal Council or Corporation see fit, and the said Council shall have the power to make such Rules and Regulations, not being contrary or repugnant to the Laws of the Province, for the election and

period of service of Councillors, to be chosen at the expiration of the said term of two years, and periodically thereafter for all time to come, and for the subsequent or Periodical Meetings or Sessions of the said Municipal Council or Corporation, and for all other purposes of this Act, as it may deem proper and contributive to the more perfect organization and adaptation of the said Municipal Council, to the progressive increase in population, improvement and other circumstances and exigencies of the Municipality, represented by the said Municipal Council; and may appoint a Secretary and Treasurer to the said Council, and such other Officer or Officers as from time to time the said Council shall see fit, with such salary or allowances from the Funds of the said Municipality, as the said Council or Corporation shall see fit, in compensation of their services respectively.