



BY AUTHORITY.

ANNO TRICESIMO SEPTIMO VICTORIÆ REGINÆ.

CAP. LX.

An Act to incorporate certain Districts of the Parish of Saint Stephen, in the County of Charlotte, to be known as The Town of Upper Mills.

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| Sec. | Sec. |
| 1 Boundaries of Town described; name and corporate powers. | 41 Accountability of officers. |
| 2 Number of Wards, and bounds. | 42 Additional powers of Council to make, amend, &c. bye laws for purposes specified. |
| 3 Administration of affairs of Town, in whom vested. | 43 Council empowered to open, lay out, repair, &c. streets, and protect same; proviso. |
| 4 Assessors for wards, when elected. | 44 Police Magistrate, how and by whom appointed. |
| 5 Qualification of Mayor, &c. | 45 Council to maintain Police, &c. |
| 6 Qualification of voter. | 46 Assessors to give notice of their appointment; persons to hand in to Assessors statement of property under oath. |
| 7 Duty of Assessors & Town Clerk. | 47 Assessors to make apportionment of rates. |
| 8 Disqualification for office of Mayor, &c.; proviso. | 48 Rates, how collected. |
| 9 Mayor, &c. refusing to act, new election to be had. | 49 Mayor may issue warrant to arrest person not paying rates. |
| 10 When Mayor, &c. shall be deemed to have vacated office. | 50 When Clerk shall publish list of names of non-residents who have not paid rates. |
| 11 First election for Mayor, &c., and subsequent elections, when held. | 51 When Mayor shall order sale of property of non-residents. |
| 12 Public notice of election, by whom given; proviso. | 52 Appeal against over-assessment, to whom made. |
| 13 Nomination of officers, when made. | 53 Assessments, how recovered. |
| 14 Vacancies, how filled. | 54 What constitutes privileged debts. |
| 15 Voting to be by ballot. | 55 Assessors may correct errors in assessment. |
| 16 When poll shall open and close. | 56 What powers are transferred to Town Council. |
| 17 When poll may not be kept open for full time. | 57 If assessment does not exceed ten per cent. of amount ordered, assessment legal. |
| 18 Presiding officer to make return to Town Clerk of persons elected. | 58 In action where Town is a party, officers competent as witness or juror. |
| 19 When poll list shall be returned to Town Clerk. | 59 Mayor, &c. to have authority, &c. of Justices of the Peace. |
| 20 Time Mayor, &c. may remain in office. | 60 Mayor, &c. not to receive pay. |
| 21 Notice of election to fill vacancy, by whom given. | 61 President, &c., or agent of Company to be deemed owner of capital stock for purpose of assessment. |
| 22 What persons shall be allowed to vote. | 62 Fines, &c., how recovered. |
| 23 Resident and non-resident voters, where to vote. | 63 Arrangements for poor of St. Stephen, Milltown, and Upper Mills, how made. |
| 24 Powers of officers holding election. | 64 Assessment for Parish of St. Stephen, how apportioned. |
| 25 Oath of Mayor, &c. | 65 When and by whom new election for Mayor shall be ordered. |
| 26 Mayor, &c. eligible for re-election. | 66 First election for Mayor, &c., by whom held. |
| 27 When officers shall go out of office. | 67 Officers elected at Parish meeting to hold office till others are appointed. |
| 28 When Town Council shall meet for business. | 68 County gaol to be gaol of Town. |
| 29 What number shall constitute a Court for transaction of business. | 69 Balances, &c. in hands of Parish officers to be paid to Treasurer of Town. |
| 30 At all meetings, Mayor, if present, to preside. | 70 Town to be separate for certain purposes of taxation. |
| 31 Town Clerk to keep minutes of proceedings. | 71 Certified copy of bye laws to be evidence. |
| 32 Complaint against election of candidate, how determined. | |
| 33 Committees, how appointed. | |
| 34 Councillor guilty of improper conduct, how punished. | |
| 35 Meeting of Council may be adjourned. | |
| 36 When Council may appoint certain officers; compensation to. | |
| 37 What officers shall enter into bonds. | |
| 38 Rates, &c. to whom paid. | |
| 39 On what authority Treasurer shall pay out money. | |
| 40 When Council shall publish statement of receipts and expenditure of Town. | |

Passed 8th April, 1874.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That from and after the passing of this Act, all that part of the Parish of Saint Stephen which is bounded as follows:—Beginning on the north side of the River Saint Croix at the west side of lot one hundred and seventy five, granted to James Chattey, and running northerly along said line to the

south line of lot two hundred and three, granted to one John Sheiles, thence west to the west line of the said lot two hundred and three, thence northerly along said west line produced to the south line of lot one hundred and eighty seven, granted to Nat Hurley, thence westerly along the said south line of lot one hundred and eighty seven to the River, and down the middle of the River to the place of beginning, shall be a Town Corporate in right and in name, by the name of "The Town of Upper Mills," and shall have perpetual succession and a common seal, with power to break, renew and alter the same at pleasure, and shall be capable in law of suing and being sued, and purchasing and holding lands and tenements for use of said inhabitants, and of making and entering into such contracts and agreements as may be necessary for the exercise of their corporate functions, and to do and execute every other matter or thing incidental to such Corporation, subject to the provisions hereinafter mentioned.

2. That the said Town of Upper Mills shall be and is hereby divided into three Wards, viz.—Ward number one shall embrace Church street and all on the west of said street, and the road leading from Upper Mills to Moannes; Ward number two shall embrace King, Water and York streets, and all on the east of said streets; Ward number three shall embrace Main and Wellington streets, and all on the east and south of said streets.

3. The administration of the fiscal, prudential and municipal affairs, and the whole legislative power and government of the said Town, shall be vested in one principal officer, who shall be Mayor of the Town of Upper Mills, and in six other persons, and in no other power or authority whatever, two of whom shall be annually elected for each Ward, and who shall be styled Councillors for the Town of Upper Mills; all of whom shall be severally elected as is hereinafter directed, and such Mayor and Councillors for the time being shall be the Town Council of the Town of Upper Mills.

4. There shall annually be elected at the same time hereinafter appointed for the election of Mayor and Councillors, one Assessor for each Ward, and no person shall be eligible for that office unless he be resident in the Ward for which he may be elected and qualified to the extent required in the case of a Councillor.

5. No person shall at any time be qualified to be elected as Mayor, Councillor or Assessor for the said Town unless at the time of his election he be a resident within the same, of the full age of twenty one years, and shall have been assessed in the assessment next preceding the election for real or personal estate, or both, within the said Town to the value of four hundred dollars or upwards, and shall have paid before the time of such election all rates and taxes legally due from him within the said Town.

6. At the first election under this Act for Mayor, Councillors, and Assessors, no person shall be qualified to vote unless he be a ratepayer of the full age of twenty one years, and whose name appears on the Assessment List of the District incorporated by this Act; at any subsequent election, all persons who are ratepayers of the full age of twenty one years, who shall have resided within the Town for the period of one year, and non-residents who shall have been assessed for real estate within said Town of the value of one hundred dollars and upwards, and shall have paid all rates and taxes due previous to such election, shall be qualified to vote; the