

1857.

An Act to INCORPORATE the VILLAGE of Fort Erie:
in the County of Welland

Whereas the inhabitants of the Village of Fort Erie in the County of Welland have by their Petition represented that from the rapid increase of the population of the said Village; it has become necessary to confer upon it corporate powers; and prayed that it maybe incorporated accordingly; and it is desirable to grant the prayers of the said Petition.

Therefore Her Majesty enacts as follows:

- no.1 From and after the passing of this Act the Inhabitants of the said Village of Fort Erie shall be a body corporate apart from the Township of Bertie , in which the said Village is situated; and as such shall have perpetual succession, and a common Seal; with such powers and privilages as are now or shall be heretofore conferred on INCORPORATED VILLAGES inUPPER CANADA; and the powers of such Corporation shall be exercised by, through and in the name of the MUNICIPALITY of the VILLAGE OF FORT ERIE.
- no.2 The said Village shall comprise and consist of the tract of Land bounded as follows:
Commencing at the Niagara River on a line with the S.E. angle of Lot 5 in the 1st Con.of said Bertie Township; and running westerly along the southern boundary line of the said Lot, to the S.E. angle of Lot 5 in the 2nd. Con. of the said Township; thence south until the line strikes the shore of Lake Erie, thence along the shore of the said Lake Erie and the riverto the place of beginning.
3. Immediately after the passing of this Act, it shall be Lawful for the Govenor of the Province to appoint a Returning Officer for the said Village of Fort Erie; which Returning Officer shall appoint the time and the place of holding the 1st.Election in the said Village;of which appointment the Returning Officer shall give notice in a newspaper,published in the said Village; or if there is no newspaper published there, then by notice posted in at least three conspicuous places in the said Village, ten days before the Election.
- no. 4 The duties of the said Returning Officer, and the qualifications of the Votersand the persons elected as Councillors , at such first Election ; shall be described by Law with respect to Townships in Upper Canada.
- no. 5 The Collector or Township Clerk of the Township of Bertie ; or other persons having the Legal custody of the Collectors Roll of that Township for the year of our Lord ,one thousand eight hundred and fifty six, shall furnish to the Returning Officer on demand, made by him for the same:a true copy of such Roll so far as the same relates to the voters resident in the said Village; and so far as such Roll contains the names of the male freeholders and householders related upon such Roll in respect of real propperty lying within such limits; the amount of the assed value of such real property for which they shall be

respectively rated on such Roll ; which copy shall be verified on oath, or as now required by Law.

- No. 6 The said Returning Officer before holding the said Election shall take the Oath of affirmation now required by Law, to be taken by Returning Officers for the Incorporated Villages in Upper Canada.
- No. 7 Elections for the Councillors of the said Village of Fort Erie after the year one thousand eight hundred and fifty seven shall be in conformity with the provisions of the Law applying to Incorporated Villages in Upper Canada.
- No. 8 The several persons shall be elected or appointed under this Act , shall take the same Oath of Office, and of qualifications as are now required by Law.
- No. 9 The number of Councillors to be elected under the Act shall be five; and they shall be organised as a Council in the same manner as in Villages incorporated under the Provisions of the Upper Canada Municipal Act; and have, use, and exercise the same powers and privileges as in the said Incorporated Villages.
- No. 10 From and after the passing of this act the Village shall Cease to form part of the Township of Bertie; and shall to all intents and purposes , form a separate and independent Municipality; with all the privileges and rights of an Incorporated Village in Upper Canada, but nothing herein contained , shall effect or be construed to effect, any taxes imposed for the payment of any debts of the Township of Bertie aforesaid: but the said Village of Fort Erie shall be liable to pay to the Treasurer of the Township of Bertie aforesaid, in each and every year, until any such existing debt be fully discharged: the same amount which was collected within the said Village towards the payment of such debt; for the year 1856 ; and the same shall be a debt against the said Village.
- No. 11 Any Councillor elected to serve on the Township Council in the said Township of Bertie for the present year; and residing in the above described limits of the said Village; shall immediately on the appointment of the Returning Officer : cease to be Councilor as the case may be, to serve in the Council of the said Township of Bertie for the remainder of the year; as in the case of the death or resignation provided for by the Municipal laws for Upper Canada.
- No. 12 The Officers of the said Council of the Township of Bertie shall not proceed to collect any rate or assessment of the Township Assessor for the present year; and shall be collected by the Officers to be appointed by the said Village Council for the purpose: provided that nothing herein contained shall effect or be construed to effect the School section or sections in which the said Village is now situated; for the present year: until an arrangement to alter or change the same , shall be made between the said Township and the said Village.

No. 13. The Clerk of the said Township shall, and he is hereby required to furnish to the Clerk to be appointed; by the Council of the said Village; on demand made by him therefore a true copy of the Assessment Roll for the present year; so far as the same shall contain the rateable property assessed within the said Village ; and the name of the owners thereof.

No. 14. The expence of any assessment imposed for the present year so far as the same shall relate to assessments made within the limits of the said Village ; and the expence of furnishing any documents or copies of papers or writings by the Clerk or other Officers of the Council of the said Township herein before referred to, shall be borne and payed by the said Village Council; or otherwise as the said Township Council shall require.

No. 15. This Act shall be deemed a Public Act.