

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1857. Toronto: Stewart Derbyshire & George Desbarats, 1857.

20 Victoria – Chapter 103

**An Act to incorporate the Village of Waterloo, in the County of Waterloo. Assented to 27th May, 1857.**

Whereas the inhabitants of the Village of Waterloo, in the County of Waterloo, 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 may be incorporated accordingly, and it is desirable to grant the prayer of the said Petition; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

- I. From and after the passing of this Act, the inhabitants of the said Village of Waterloo shall be a body corporate apart from the Township of Waterloo in which the said Village is situate; and as such shall have perpetual succession and a Common Seal, with such powers and privileges as are now or shall hereafter be conferred on Incorporated Villages in Upper Canada, and the powers of such Corporation shall be exercised by, through and in the name of the Municipality of the Village of Waterloo.
- II. The said Village shall comprise and consist of the following lots and parcels of land, that is to say: the north-west quarter of lot number four, the west halves of lots five and six, lots numbers thirteen and fourteen, the north halves of lots numbers fifteen and twenty-two, and lots numbers twenty-three and twenty-four, of the tract known as the German Company Tract in the upper block of the said Township of Waterloo.
- III. Immediately after the passing of this Act it shall be lawful for the Governor, of this Province to appoint a Returning Officer for the said Village of Waterloo, which Returning Officer shall appoint the time and place, for Holding the first Election in the said Village, of, which appointment the said Returning Officer shall give notice in a newspaper published in the said Village, or if there be no newspaper published there, then by notices posted in at least three conspicuous places in the said Village, ten days, before the said Election.
- IV. The duties of the said Returning Officer, and the qualifications of the voters and the persons elected as Councillors at such first Election, shall be as prescribed by law with respect to Townships in Upper Canada.
- V. The Collector or Township Clerk of the Township of Waterloo, or other person having the legal custody of the Collector's 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 voters resident in the said Village, and so far as such Roll contains the names of the male freeholders and householders rated upon such Roll in respect of real property

lying within such limits, the amount of the assessed value of such real property for which they shall be respectively rated on such Roll, which copy shall be verified on oath, or as is now required by law.

VI. The said Returning Officer, before holding the said Election, shall take the oath or affirmation now required by law to be taken by Returning Officers for incorporated Villages in Upper Canada.

VII. Elections for Councillors for the said Village of Waterloo, after the year one thousand eight hundred and fifty-seven, shall be held in conformity with the provisions of law applying to incorporated Villages in Upper Canada.

VIII. The several persons who shall be elected or appointed under this Act, shall take the same oaths of office and of qualification now prescribed by law.

IX. The number of Councillors to be elected under this Act shall be five, and they shall be organized as a Council in the same manner as in Villages incorporated under the provisions of the Upper Canada Municipal Acts, and have, use and exercise the same powers and privileges as in the said Incorporated Villages.

X. From and after the passing of this Act, the said Village shall cease to form part of the said Township of Waterloo, 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 affect or be construed to affect any taxes imposed for the payment of any debts contracted by the Township of Waterloo aforesaid, but the said Village of Waterloo shall be liable to pay to the Treasurer of the Township of Waterloo aforesaid, in each and every year until any such existing debt be fully discharged, the same amount which was collected within the said described limits of the said Village towards the payment of such debt for the year 1856, and the same shall be a debt against the said Village.

XI. Any Councillor elected to serve in the Township Council of the said Township of Waterloo for the present year and residing within the above prescribed limits of the said Village, shall immediately on the passing of this Act, cease to be such Councillor, and the duly qualified electors of Ward number three of the Township of Waterloo aforesaid, not included in the said limits, shall thereupon proceed to elect a new Councillor of Councillors, as the case may be, to serve in the Council of the said Township for the remainder of the year, as in the case of death or resignation provided for by the Municipal laws of Upper Canada.

XII. The Officers of the said Council of the Township of Waterloo, shall not proceed to collect any rate or assessment imposed by the said Council for the present year, within the limits of the said Village, but the amount which may be required for the purposes of the said Village within the present year, shall be based on the assessment of the Township assessor or assessors, for the present year, and shall be collected by the Officer or Officers to be appointed by the said Village Council for that purpose: Provided always that nothing herein contained shall affect any school section or school rate for the present year, nor the right of any school section to any money already set apart for school purposes; And provided further, that the said Village of Waterloo shall be entitled to recover from the said

Township of Waterloo, such share of all money apportioned to such Township from the Upper Canada Municipalities Fund, prior to the passing of this Act, as shall bear the same proportion to the whole sum so apportioned to the said Township as the number of rate-payers resident within the limits of the said Village as shewn by the Collector's Rolls of 1856, bears to the whole number of rate-payers of the said Township.

XIII. The Municipality of the Village of Waterloo shall pay to the Municipality of the Township of Waterloo, on or before the fifteentith day of December next, in pursuance of an agreement to that effect entered into between the inhabitants of the said Township and Village before the passing of this Act, the sum of three hundred and seventy-five pounds, to aid in the construction of the Bridges over the Grand River, known as the Carlisle Bridge, and the Toll-Bridge between Preston and Berlin.

XIV. 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 therefor, a true copy of the Assessment Roll for the present year, so far as the same shall contain the rateable property assessed within the same Village, and the names of the owners thereof.

XV. The expenses 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 expenses of furnishing any documents, or copies of papers or writings, by the Clerk or other Officer of the Council of the said Township hereinbefore referred to, or required to be furnished, shall be borne and paid by the said Village Council to the said Township Council, or otherwise as the said Township Council shall require.

XVI. And whereas from the contiguity of the Town of Berlin and the said Village of Waterloo to each other, the inhabitants of the said Town and Village may hereafter desire to have the said places united, so as to form one Corporation: Be it enacted, that whenever the Councils of the said Town and Village shall join in a Petition to the Governor of this Province, praying that such union as one Corporation may take place, it, shall and may be lawful for the said Governor by an Order in Council to issue a Proclamation under the Great Seal of this Province, erecting the said Town and Village into an Incorporated Town, by a name to be given in or by such Proclamation, and to set forth the boundaries thereof; And from and after the first day of January then next, the said Town and the said Village shall form one Corporation, with the name so to be given in the said Proclamation, and thenceforth all and every of the provisions of the Municipal Laws of Upper Canada, relating to incorporated Towns, shall apply to the said united Corporation.

XVII. This Act shall be deemed a Public Act.