

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

20 Victoria – Chapter 106

**An Act to incorporate the Village of Fergus, in the County of Wellington. Assented to 10th June, 1857.**

Whereas the inhabitants of the Village of Fergus, in the County of Wellington, 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 have 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 first day of January next, the inhabitants of the said Village of Fergus shall be a body corporate apart from the Township of Nichol 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 Fergus.
- II. The said Village shall comprise and consist of the lots and parcels of land included within the following boundaries, that is to say: Commencing on the south bank of the Grand River where the Concession line between the fourteenth and fifteenth Concessions would strike that bank if produced; thence north-west along that Concession line to the west angle of lot twenty-one in the said fifteenth Concession; thence northeast along the division line between lots twenty and twenty-one to the Township line between Garrafraxa and Nichol; thence south-east along the said Township line to the south-east side of the Road from Fergus to Garrafraxa, in the first Concession of the said Township of Nichol; thence south-west along the south-east side of the said Road, until it intersects the Road allowance between lots numbers ten and eleven; thence north-west along the said Road allowance to the south bank of the Grand River; thence along the said bank of the Grand River, with the stream, to the place of beginning.
- III. 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 Fergus, 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 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 Nichol, 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-seven, 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 Fergus, after the year one thousand eight hundred and fifty-eight, 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 as are 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 first of January aforesaid, the said Village shall cease to form part of the said Township of Nichol, 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 Nichol aforesaid, but the said Village of Fergus shall be liable to pay to the Treasurer of the Township of Nichol 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 one thousand eight hundred and fifty-seven, and the same shall be a debt against the said Village.
- XI. All Acts and provisions of Acts inconsistent with this Act, so far as the same may affect the said Village of Fergus, shall be and the same are hereby repealed.
- XII. This Act shall be deemed a Public Act.