

contravention of such By-laws any penalty or punishment which they may lawfully impose for any contravention of other By-laws, and that all penalties incurred under or by virtue of the Act first above cited, or of any By-law made under the authority thereof, shall and may be prosecuted and recovered under the provisions of the said seventh section of the Act of the Parliament of Upper Canada hereinbefore cited, and all such penalties shall belong one half to the Municipality in which the offence shall have been committed, and the other half to the prosecutor, unless he be examined as a witness to prove the offence, in which case the whole shall belong to the said Municipality: Provided always, that nothing herein contained shall apply to any case in which any final Judgment or Order shall have been made or conviction had by or before any competent Tribunal, but with regard to such case, the Provincial Acts hereinbefore cited shall be construed and have effect as if this Act had not been passed.

III. And be it enacted, That whenever any party to whom a license to keep a House of Public Entertainment shall have been granted, shall desire to furnish such refreshments as by law he is permitted to do in the house for which he has obtained a license, at any place out of his said house, but within the limits to which such license extends, or to remove from the house for which the same shall have been granted, into another house in the same Township, Incorporated Village, or Town, or City, and to keep a House of Public Entertainment therein, it shall be lawful for the Inspectors of Houses of Public Entertainment for such Township, Incorporated Village, or Town, or City, or a majority of such Inspectors, in their discretion (but subject always to any By-law which may have been made in that behalf by the Municipal Authority of the locality) to endorse on such license a permission to the party to whom it was granted to furnish such refreshments as aforesaid, or to keep a House of Public Entertainment in the house to which he shall so wish to remove, and such permission shall give such right, and the license shall thereafter apply to the House described in such endorsement, and shall authorize the party to whom such license was granted, to furnish such refreshments or to keep a House of Public Entertainment in the House mentioned in such endorsement during the unexpired portion of the term for which such license was granted, and upon the same terms and conditions; and any Bond or Security which such party may have given for the due observance of the Laws and By-laws concerning Houses of Public Entertainment, and the Keepers thereof, or for any purpose relative to such license, shall apply as fully to the house to which he shall be so authorized to remove, and to his conduct and doings therein, as without such endorsement it would have applied to the house for which the license was originally granted, and to his conduct or doings therein.

Penalties may be recovered;

And to whom to belong.

Proviso.

Case wherein a party is desirous of furnishing Refreshments at any place out of his house, or of removing therefrom.

Inspectors to endorse permission on License.

Subject to regulations.

Right conferred thereby, &c.

Upon what conditions.

Bond or Security how to apply.

CAP. CXXI.

An Act to repeal so much of the Act thirteenth and fourteenth, Victoria, Chapter Seventy-two, as relates to the construction of Rail-ways.

[30th August, 1851.]

WHEREAS it is expedient to repeal so much of the Act hereinafter mentioned as extends the provisions of the Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other works in Upper Canada, to Rail-roads or Tram Roads*: 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 so much of the Act passed in the session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, *An Act to amend and extend the*

Preamble.

12 Vict. c. 84.

Part of 13 & 14 Vict c. 72, repealed.

the provisions of an Act passed in the twelfth year of Her Majesty's Reign, intituled, 'An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other works in Upper Canada,' as extends the provisions of the Act cited in the Preamble to this Act to Rail-roads or Tram Roads, shall be and is hereby repealed: Provided always, that nothing herein contained shall in any manner interfere or be construed to interfere with the rights that the Brantford and Buffalo Joint Stock Rail-road Corporation, or any person or persons or body corporate may have in any manner legally acquired, under the provisions of the said recited Act, repealed by this Act: Provided also, that nothing contained in this Act, or in any Acts passed during the present session, shall be construed to prevent the said Brantford and Buffalo Joint Stock Rail-way Company, or any other Company organized under the provisions of the Act hereby repealed, from proceeding to carry on its operations or from exercising or enjoying or continuing to exercise or enjoy all or any of the rights, powers and privileges which such Company or Companies might have exercised or enjoyed if the said Act had not been repealed.

CAP. CXXII.

An Act to amend the Act, intituled, *An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada*, and to extend the provisions thereof.

[30th August, 1851.]

Preamble,
12 Vict. c. 81:

WHEREAS it is expedient to amend the Act passed in the second Session of the third Parliament of this Province, intituled, *An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other works in Upper Canada*, and to extend the provisions thereof to other objects: 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 the Seventh and Sixteenth Sections of the said Act be repealed.

Sect. 7 & 16 re-
pealed.

Case of any Company
wishing to extend
their works provided
for.

Borrowing money.

New stock.

Registry of new
subscribers.

Rights and liabilities
of new subscribers.

II. And be it enacted, That if at any time after the formation of any such Joint Stock Company, the Directors shall be of opinion that it would be desirable to extend or alter the projected line of road,—to construct any side roads to intersect the original main roads,—or that the original capital subscribed will not be sufficient to complete the work contemplated by such Company to be executed or to be extended or altered, it shall and may be lawful for the said Directors, under a Resolution to be passed by them for that purpose, either to borrow upon the security of the said Company by Bond, or Mortgage of the Road and Tolls to be collected thereon, a sufficient sum of money to complete the same, or to authorize the subscription of such number of additional shares as shall be named in their Resolution, a copy whereof, under the Hand of the President and Seal of the Company, shall be engrossed at the head of the subscription list to be opened for subscribers to the additional number of shares thereby authorized to be subscribed; and that when such a number of new shares shall have been subscribed as the Directors shall deem it desirable to have registered, the President shall deliver such new list of subscribers to the Register having the custody of the original Instrument, who shall attach such new list of subscribers thereto, which shall thenceforth be held and taken to be part and parcel of the said Instrument; and all the subscribers thereto, and those who may thereafter enter their names as subscribers thereon, with the consent of such Directors, to be signified by producing a receipt from the Treasurer of such Company, that the person desiring to subscribe to the said new stock list has paid an instalment of six per cent. on his shares, shall be subject to all the liabilities, and entitled to all the rights, benefits, privileges and advantages to which the original subscribers