

XLII. Any contravention of this Act by the said Company or any other party, for which no punishment or penalty is herein provided, shall be a misdemeanor, and shall be punished accordingly, but such punishment shall not exempt the said Company (if they be the offending party) from the forfeiture of this Act, and the privileges hereby conferred on them, if, by the provisions thereof, or by law, the same be forfeited by such contravention.

Any contravention of this Act not otherwise punishable, to be a misdemeanor.

XLIII. Nothing herein contained shall affect or be construed to affect in any manner or way whatsoever, the rights of Her Majesty, Her Heirs and Successors, or of any person or persons, or of any bodies politic, corporate or collegiate, such only excepted as are herein mentioned.

Saving of Her Majesty's rights and those of other persons.

XLIV. This Act shall be deemed and taken to be a Public Act, and as such shall be judicially taken notice of by all Judges, Justices of the Peace and others, without being specially pleaded.

Public Act.

C A P . C X I X .

An Act to amend the Act incorporating the Bond Head Harbour Company, to increase the Capital Stock of the said Company, and to incorporate the Village of Newcastle.

[Assented to 1st July, 1856.]

WHEREAS the President, Directors and Company of the Bond Head Harbour Company, have by their Petition prayed that the name of the said Company may be changed to that of the "Newcastle Harbour Company," that the Stock of the said Company may be increased to Fifteen Thousand Pounds, that the period for completing the said Harbour may be extended to five years, and that authority may be given to the said Company to obtain a Loan of Five Thousand Pounds on the credit of the said Harbour and the Tolls thereof: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

I. From and after the passing of this Act, the corporate name of the said Company shall be the "Newcastle Harbour Company," but such change of name shall not be construed to make the said Company a new Corporation, or to alter its rights, or those of any other party.

Name of the Corporation changed.

II. For and notwithstanding any thing contained in the tenth section of the Act of the Parliament of Upper Canada, incorporating the said Company, passed in the first year of Her Majesty's Reign, and intituled, *An Act to incorporate certain persons under the style and title of the Bond Head Harbour Company,*

Capital Stock increased, notwithstanding limitation Act of U. C., 1 V. c. 31.

Period for
constructing
works extend-
ed.

Company, the Capital Stock of the said *Company* may be increased to fifteen thousand pounds and the number of shares to sixteen hundred, and may be taken up in such manner as the Directors shall appoint: and the period limited by the said Act, for completing the said Harbour, is hereby extended to the end of five years from the passing of this Act, and the said *Company* shall continue and be held to have continued, and the said Act shall be in force, and be held to have been in force, as if the period hereby limited had been limited in the said Act, instead of the period mentioned in the fifteenth section thereof.

Company
may borrow
£5,000.

III. The said *Company* shall have full power and authority to contract a loan of five thousand pounds from the Government, from any body corporate, or from any person willing to make such loan, and to give such security on the Harbour and Tolls as the party making such loan may require; Provided always, that the rate of interest shall not exceed eight per cent. per annum, and shall be payable half yearly at any of the chartered Banks of the Province at which it may be agreed upon to pay the same.

Proviso: in-
terest not to
exceed 8 per
cent.

Recital.

Village of
Newcastle
incorporated
and described.

IV. And whereas the Village of Newcastle will be greatly benefitted by the improvement of the said Harbour, and may afford assistance towards the completion thereof, if incorporated and authorized to do so; Be it therefore enacted, that upon, from and after the first day of January, one thousand eight hundred and fifty-seven, the said Village shall be incorporated by the name of Newcastle, and shall consist of lots twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine and thirty, in the broken front and first Concession of the Township of Clark, and the south halves of the lots bearing the same numbers, in the second Concession of the said township, in the County of Durham.

Upper Canada
Municipal
Corporations
Acts to apply
to it.

V. So much of the Upper Canada Municipal Corporations Acts as relates to incorporated Villages, shall, from and after the day last aforesaid, apply to the said Village of Newcastle, which shall, as an incorporated Village, have and exercise all and singular the rights, powers, privileges and jurisdiction which are thereby granted or conferred to or upon, or as shall by virtue of the said Acts, or of any other Act or Acts now in force or hereafter to be in force in Upper Canada, belong to incorporated Villages: and all the rules, regulations and enactments in the said Acts or any of them contained, or which shall in any wise apply to incorporated Villages, shall apply to the said Village of Newcastle, as fully as if it had become an incorporated Village under the ordinary operation of the said Upper Canada Municipal Corporations Acts, with the exception hereinafter made.

Returning
Officer at first
election.

VI. The Municipal Council of the Township of Clark shall and may at any time after the passing of this Act, appoint a fit person

person to be a Returning Officer for holding the first Municipal Election under this Act, and the person so appointed shall, in the discharge of his duties as such Returning Officer, be subject to all the provisions of the Upper Canada Municipal Corporations Acts applicable to first Elections in incorporated Villages; Provided always, that at the first Election to be held in the said Village, the qualification of Electors and of Councillors shall be the same as in Townships.

Proviso : qualification of electors at such election.

VII. This Act shall be deemed a Public Act.

Public Act.

C A P . C X X .

An Act to amend and consolidate the Acts relating to the Commercial Bank of the Midland District, and to change its corporate name to the "Commercial Bank of Canada."

[Assented to 1st July, 1856.]

WHEREAS the corporation now called and known as "The Commercial Bank of the Midland District," was created and constituted by and under the Act of the Legislature of Upper Canada passed in the second year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Commercial Bank of the Midland District*, which said Act was amended by the Act of the said Legislature passed in the third year of the same Reign and chaptered forty-two, and the Act thereof passed in the fifth year of the same Reign and chaptered forty-five; And whereas the said Acts were again amended and the charter and privileges of the said Corporation were confirmed and extended by the Act of the Legislature of this Province passed in the sixth year of Her Majesty's Reign, and intituled, *An Act to extend the charter of the Commercial Bank of the Midland District, and to increase its Capital Stock*, which said Act hath since been amended and the privileges of the said Corporation have been further extended by the Act of the said Legislature passed in the ninth year of Her Majesty's Reign and chaptered eighty-seven, and by that of the said Legislature passed in the twelfth year of Her Majesty's Reign and chaptered one hundred and seventy, by which the corporate name of the said Bank was altered to "The Commercial Bank of the Midland District," and the said Acts were further amended and an increase of the Capital Stock of the said Corporation was authorized by the Act of the said Legislature passed in the eighteenth year of Her Majesty's Reign, chaptered forty-two; And whereas the said Corporation hath by its Petition prayed, that the provisions of the said several Acts may be consolidated with certain amendments and extensions of the powers and privileges thereby conferred, and that the corporate name of the Bank may be altered as

Preamble.

Former Acts cited.

Acts of U. C., 2 W. 4, c. 11.

3 W. 4, c. 42.
5 W. 4, c. 45.

Acts of Canada, 6 V. c. 26.

9 V. c. 87.

12 V. c. 170.

18 V. c. 42.