

chattels of the parties offending, by warrant under the hand and seal of such Justices (which warrant such Justices are hereby empowered to grant) and the overplus, after such penalties and forfeitures, and the charges of such distress and sale are deducted, shall be returned on demand to the owner or owners of such goods and chattels, and in case sufficient distress cannot be found, or such penalties and forfeitures shall not be forthwith paid, it shall be lawful for such Justices by warrant under their hands and seals, to cause such offender or offenders to be committed to the common jail of the said County of Welland, there to remain without bail or mainprize, for such time as such Justices may direct, not exceeding twenty days, unless such penalties and forfeitures, and all reasonable charges attending the same shall be sooner paid and satisfied; all which said penalties and forfeitures when levied and satisfied in manner aforesaid, shall be paid to the said Company, to be by them applied for the purposes of the said Company.

XXXI. If any plaint shall be brought or commenced against the said Fort Erie Canal Company or against any person or persons for anything done or to be done in pursuance of this Act, or in execution of the powers and authorities, or the orders and directions hereinbefore given or granted, every such suit shall be brought or commenced within six calendar months next after the fact committed, or in case there shall be a continuation of damages, then within six calendar months next after the doing or committing of such damages shall cease, and not afterwards; and the Defendant or Defendants in such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereon, and that the same was done in pursuance and by the authority of this Act, and if it shall appear to be so done, or if any action or suit shall be brought after the time hereinbefore limited for bringing the same, then a verdict shall be given for the Defendant.

XXXII. Nothing herein contained shall affect in any manner or way whatsoever the rights of Her Majesty, her heirs, or successors, or of any person or persons, or of any bodies politic, corporate or collegiate, except as is herein expressly provided.

XXXIII. Nothing herein contained shall be construed to affect any right or power heretofore granted and secured by law to the Welland Canal Company, anything to the contrary notwithstanding.

XXXIV. This Act shall be deemed to be a Public Act.

Time for
bringing com-
plaint limited.

H. M.'s rights
not affected by
this Act.

Welland Ca-
nal Company's
rights not af-
fected.

Public Act.