

ing, and also the person riding or driving, or the owner of the animal or animals or carriage whereon such payment is avoided, being thereof convicted before any one Justice as aforesaid, shall for every such offence severally incur a penalty not exceeding 5 twenty shillings and not less than five shillings, to be levied as aforesaid with costs.

XXXIV. And be it enacted, That any Company now or here-
after to be formed under the provisions of the Acts recited in the
preamble hereof, and of this Act for the construction of any turn-
10 pike road, may in their discretion form the same in part or the whole
either of metal, timber, charcoal or any other suitable material, for
constructing a firm, substantial and smooth surface, whether the
material be mentioned in the registered instrument of incorpora-
tion or not.

The materials
of which
Roads are to
be made.

15 XXXV. And be it enacted, That it shall be lawful for any
Municipal body corporate, having jurisdiction within the locality
through or along the boundary of which any such road shall pass,
or in which any such work as aforesaid is to be constructed to
subscribe for, acquire, accept and hold, and to depart with and
20 transfer stock in any Company to be formed under authority of
this Act, or by any Company heretofore chartered by any Act of
the Legislature for the like purpose, and from time to time to
direct the Mayor, Reeve, Warden or other chief officer thereof, on
behalf of such Municipality, to subscribe for such stock in the name
25 of such Municipality, and to act for and on behalf of such Muni-
cipality in all matters relative to such stock, and the exercise of the
rights of such Municipality as a Stockholder, and the Mayor, Reeve,
Warden or other, chief officer shall whether otherwise qualified or
not be deemed a Stockholder in the Company, and may vote and
30 act as such, subject always to such rules and orders in relation to his
authority, as shall be made in that behalf by such Municipality by
their By-laws or otherwise, but voting according to his discretion
in cases not provided for by such Municipality; and it shall be law-
ful for such Municipality to pay for or to pay all instalments upon
35 the stock they shall subscribe for, and require, out of any monies
belonging to such Municipality, and not specially appropriated to
any other purpose, and to apply the monies arising from the divi-
dends or profits on the said stock or from the sale thereof, to any
purpose to which unappropriated monies belonging to such Muni-
40 cipality may lawfully be applied.

Municipa-
lities may
acquire stock.

Who shall
vote.

XXXVI. And be it enacted, That it shall always be lawful for
the Municipality of any locality, through or along the boundary of
which any such road shall pass, or within which any such work
as aforesaid shall be constructed, to loan money to the Com-

Municipa-
lities may loan
money to
companies.