

Officers and Men of Her Majesty's Forces of the Line, Ordnance, Marines, &c., to be conveyed on the Rail Road when required.

VI. And be it enacted, That whenever it shall be necessary to move any of the Officers or Soldiers of Her Majesty's Forces of the Line, Ordnance Corps, Marines, Militia, or Police Force, by the said Saint Andrews and Quebec Railway, or any of its Branches, the Directors thereof shall and they are hereby required to provide conveyances for the said Military, Marine, and Police Forces respectively, with their Baggage, Stores, Arms, Ammunition and other necessities and things, at such time or times, whether the same shall be the usual hours of starting trains or not, as shall be required or appointed by any Officer duly authorized for that purpose, at such prices and upon such conditions as may from time to time be contracted for between the Secretary at War or some Officer duly authorized for that purpose, and the said Company.

A preference in the use of any public line of Electrical Telegraph to be established by the Company, secured to Her Majesty and the Company.

VII. And be it enacted, That if a Line of Electrical Telegraph shall be established by the said Company upon the Line of the said Saint Andrews and Quebec Railway, or any part thereof, or upon any of its Branches, otherwise than exclusively for the purposes of the said Railway, the use of such Electrical Telegraph for the purpose of receiving and sending messages, shall be subject to the prior right of use thereof for the service of Her Majesty, and for the purposes of the said Company, and subject also to such equal charges and to such reasonable regulations as may be from time to time made by the said Company, be open for the receiving and sending of messages by all persons alike, without favour or preference.

Authority given to the Governor of the Province to disallow any bye law, &c., of the Company.

VIII. And be it enacted, That it shall be lawful for the Lieutenant Governor or Administrator of the Government in this Province for the time being, at any time either before or after any bye law, order, rule or regulation laid before him by the said Company, shall have come into operation, to notify to the said Company his disallowance thereof, and in case the same shall be in force at the time of such disallowance, the time at which the same shall cease to be in force, and no bye law, order, rule or regulation which shall be so disallowed, shall have any force or effect whatsoever, or if it shall be in force at the time of such disallowance, it shall cease to have any force or effect at the time limited in the notice of such disallowance, saving in so far as any penalty may have been already incurred under the same.

#### CAP. XLIX.

An Act in amendment of and in addition to an Act, intituled *An Act to incorporate the South Bay Boom Company.*

Passed 30th March 1848.

On failure of payment of calls on account of Stock, the delinquent may be sued.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if at the time appointed by the South Bay Boom Company, incorporated by Act of Assembly of this Province made and passed in the tenth year of Her present Majesty's Reign, or the Directors thereof, for the payment of any call already made or hereafter to be made, any shareholder shall have failed or shall fail to pay the amount of such call, or any part thereof, it shall be lawful for the said Company to sue such shareholder for the amount thereof, or so much thereof as may be and remain due and owing thereon, in any Court of Law or Equity, having competent jurisdiction, and to recover the same with lawful interest from the day on which such call was payable, with costs of suit.

Unnecessary to set out the special matter in the Declaration in the suit.

II. And be it enacted, That in any action or suit to be brought by the said Company against any shareholder to recover any money due for any call, it shall not be necessary to set forth the special matter, but it shall be sufficient for the said Company to declare that the defendant is the holder of one share or more in the said Company, [*state the number of shares*] and is indebted to the said Company in the sum of money to which the calls in arrear shall amount in respect of one call or more upon one share or more, [*state the number and amount of such calls*] which an action hath accrued to the said Company by virtue of this Act.

Sufficient to prove defendant a stockholder, that the call was made, and notice given.

III. And be it enacted, That on the trial or hearing of such action or suit, it shall be sufficient to prove that the defendant at the time of making such call was a holder of one share or more in the said undertaking, and that such call was in fact made, and such notice thereof given, as is directed by the Act incorporating the said Company, and to which this Act is an addition and amendment, and it shall not be necessary to prove the appointment of the Directors who made such call, nor any other matter whatsoever, and thereupon the said Company shall be entitled to recover what shall be due upon such call, and interest thereon, unless it shall appear due notice of such call was not given.

Directors authorized to raise money for carrying on the object of the Com-

IV. And be it enacted, That it shall and may be lawful for the Board of Directors of the said Company, when and so often as they may deem it expedient and necessary for the interests of the said Company, to raise such sum or sums