

Shareholders may  
be sued for  
non payment of  
assessments.

Declaration in suit.

Proof.

Plan, &c., of works,  
to be deposited at  
the offices of the  
Provincial  
Secretary and  
Common Clerk.

Act to be void if ten  
per cent. of the  
capital be not  
paid up, &c.

Preamble.

Company incor-  
porated with  
powers incident to  
Corporations.

Capital to be £600,  
with power to  
increase the same.

Choice and  
authority of  
Directors to serve  
until the first  
annual meeting.

22. If any shareholder shall fail to pay the amount of any assessment made by the said Company, or any part thereof, it shall be lawful for the Company to sue such shareholder for the amount in any Court of law or equity having jurisdiction, and to recover the same with interest and costs.

23. In any such action it shall be sufficient for the 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 Company in the sum to which the assessment or assessments in arrear shall amount, in respect of one assessment or more upon one share or more [state the number, and amount of such assessments] by means of which an action hath accrued to the Company by virtue of this Act.

24. On the trial or hearing, it shall be sufficient to prove that the defendant, at the time of making such assessment, was a holder of one share or more in the said undertaking, and that such assessment was in fact made, and it shall not be necessary to prove any other matter whatsoever, and thereupon the Company shall be entitled to recover what shall be due upon such call, with interest and costs.

25. A plan and fully detailed description of the site and position of the road to be built under this Act, shall be filed in the offices of the Provincial Secretary and of the Common Clerk of the City of Saint John; and the site and position so selected shall be subject to the approval of the Lieutenant Governor in Council.

26. Unless at least ten per cent. of the capital stock of the said Company be paid in to the Treasurer of the said Company, and the work commenced according to the plan as herein specified to be filed, and as sanctioned by the Governor and Council, within three years, and fully completed within five years from the passing of this Act, then this Act shall be null and void.

#### CAP. LXIV.

An Act to incorporate the Nashwaaksiss and Fredericton Steam Ferry Boat Company.

Passed 3rd May 1853.

**W**HEREAS from the great increase of the population of the Parish of Douglas and the surrounding country, the want of a sufficient Ferry to land at the upper part of Fredericton is much required;

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:—

1. That the Honorable F. P. Robinson, W. J. Bedell, Esquire, Stephen H. Fowler, Beverly Robinson, Esquire, James S. Beek, James Pickard, Peter M'Farlane, George Todd, Martin Mackay, and John M'Gibbon, their associates, successors and assigns, be and they are hereby declared a body politic and corporate, by the name of *The Corporation of the Nashwaaksiss and Fredericton Steam Ferry Boat Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of conducting a steam ferry across the River Saint John at the upper part of Fredericton, and for the construction of steam ferry boats, and necessary works therewith connected, and that the said Company, or the major part of them, shall from time to time, and at all times, have full power and authority to constitute, ordain, make and establish such bye laws and ordinances as may be thought necessary for the good rule and government of said Company, provided that such bye laws and ordinances be not contradictory or repugnant to the laws and statutes of the Province, or to such bye laws, rules and regulations relating to ferries within the limits of the City of Fredericton as are now made or may hereafter be made by the Mayor and Corporation of the said City of Fredericton.

2. The capital stock of the said Company shall consist of the sum of six hundred pounds, with power to increase to fifteen hundred pounds, and shall be divided into shares of five pounds each, and be paid in such sums and at such time or times as the Directors of the said Company shall from time to time appoint.

3. At any meeting to be for that purpose holden, five Directors (being members and stockholders of and in the said Corporation, to such an extent as by the laws and regulations of the said Company may be provided,) shall be chosen, which Directors so chosen shall serve until the first annual meeting for the choice of Directors, and shall have full power and authority to manage the concerns of the said Corporation, subject nevertheless to the laws and regulations which may from time to time be made by the said Company.