

to sue for and recover from the owner or owners thereof the amount of such rafting and boomage, in any Court competent to try the same, with costs of suit.

11. The stock subscription list already subscribed, and such other names and shares as may be added thereto to the extent of the stock, shall compose the Company; stockholders and the subscribers shall be in the same position as if they had subscribed after the passing of this Act, as well for the payment of such stock or otherwise.

12. Stockholders of the said Company shall be chargeable in their private and individual capacity, and shall be holden for the payment of all debts at any time due from the said Corporation, or damages sustained by the default or neglect of said Corporation, or their agents or servants, in proportion to the stock they respectively hold; provided however, that in no case shall any stockholder be liable to pay a sum exceeding the amount of stock actually then held by such stockholder in addition to the stock then held by such stockholder; provided nevertheless, that nothing herein contained shall be construed to exempt the joint stock of the said Corporation from being also liable for and chargeable with the debts and engagements of the same.

13. All questions of difference or dispute of any kind relating to the quantity of timber, logs or other lumber liable to toll, shall be submitted to the award and determination of three persons chosen as follows:—Either party desiring a reference shall name an arbitrator and give notice thereof in writing to the other party, who shall within ten days after such notice name and appoint a person or arbitrator on his behalf, and give notice of such appointment to the other party, and the two so chosen shall name a third; in case of neglect or refusal to appoint such arbitrator, the arbitrator first named shall name a second, and they two name a third, who shall proceed to hear the matter and make an award in the premises; the award and determination of them, or any two of them, shall be final and conclusive between the parties; which referees, or any two of them, shall also determine and award by whom and how the expense of such reference shall be paid.

14. The Corporation shall not be liable for the loss of any timber, logs or other lumber which pass out of the said boom, or escape therefrom, unless such loss is occasioned by their neglect or default, or the neglect or default of their agents or servants; provided always, that the said Corporation, their agents or servants, shall be bound without delay, and with sufficient assistance to follow down the River as far as Middle Island, and use all due diligence to collect together, pick up and secure, and raft all such timber, logs or other lumber which may pass out of or by, or escape from, or run below the said boom of the said Company.

16. If any stockholder shall fail to pay the amount of any assessment made by the Company, or any part thereof, it shall be lawful for the said Company to sue such shareholder for the amount thereof in any Court of law or equity having competent jurisdiction, and to recover the same with lawful interest from the day on which such assessment was payable, with costs of suit; and when the amount due shall not exceed five pounds, the same may be recovered before any Justice of the Peace for the County of Northumberland, under the provisions of Chapter 137, Title xxxvii, of the Revised Statutes, 'Of the jurisdiction of Justices in civil suits.'

16. In any action or suit to be brought by the said Corpo-

ration 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 Company to declare that the defendant is the holder of one or more shares in the said Company, and is indebted to the said Company in the sum of money to which the assessment or assessments in arrear shall amount, in respect of one assessment or more upon one share or more, by means of which an action hath accrued to the said Company by virtue of this Act.

17. If any person shall wilfully and maliciously, and to the prejudice of the said undertaking, break, cut, damage or destroy the said boom or booms, or any pier or piers, or any part thereof, or any of the warps, ropes or fastenings thereof, such person or persons so offending shall, upon conviction thereof before any two Justices of the Peace for the County of Northumberland, forfeit and pay a sum not exceeding ten pounds, with costs of prosecution, and when collected, to be paid and form a part of the funds of the said Corporation; and any stockholder in the said Company is hereby declared a competent witness against such offender or offenders.

18. Unless a good and sufficient boom or booms for the purpose of this Act be erected within two years after the passing of this Act, and a certificate thereof under the hand of the agent or principal officer of the said Corporation, attested to by such agent or principal officer before one of Her Majesty's Justices of the Peace for the said County, (which oath such Justice of the Peace is hereby authorized to administer), shall be filed in the office of the Secretary of the Province, then the corporate powers hereby granted shall be deemed null and void.

19. Nothing in this Act shall authorize and empower the said Corporation, or any of their agents or servants, to enter into or upon any lands or tenements of any person whomsoever, unless the consent of the owner or owners be first obtained.

20. This Act shall continue and be in force for ten years and no longer.

#### CAP. LXV.

An Act to continue the several Acts relating to the South West Boom Company.

Acts 17 V. cap. 10, and 23 V. cap. 15, continued.

Passed 23rd April 1862.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That an Act made and passed in the seventeenth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to incorporate the South West Boom Company*, and also another Act made and passed in the twenty third year of the Reign of Her said Majesty, intituled *An Act in amendment of an Act to incorporate the South West Boom Company*, be and the same are hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and seventy two.

#### CAP. LXVI.

An Act to incorporate the Union Iron Works Company.

##### Section.

1. Company incorporated.
2. Capital stock.
3. First meeting, when called, and by whom.
4. What constitutes a member.
5. Liability of stockholders to Company.
6. Powers of Directors.

##### Section.

7. Stockholders not to vote unless all calls are paid up.
8. Company not bound to see to execution of any trust to which shares are subject; Receipt of any one party sufficient discharge.