

the former owner, and a new certificate of the shares sold shall be made out and delivered to the purchaser; provided always, that no call shall be made except by a vote of the shareholders, or a majority of those present at any meeting called as provided for.

11. In any action 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, stating 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, stating the number and amount of each such calls whereby the action hath accrued to the said Company by virtue of this Act.

12. 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 the holder of one share or more in the undertaking, and that such call was in fact made, and such notice thereof given, as is directed by this Act, of which call and notice the Newspaper containing the same shall be *prima facie* evidence; it shall not be necessary to prove any other matter whatsoever, and thereupon the Company shall be entitled to recover what is due upon such call, with interest and costs.

13. The production of the Register of shareholders shall be *prima facie* evidence of such defendant being a shareholder, and of the number and amount of his shares.

14. All meetings of the Company shall be called by public notice being given of the meeting by the President, or any two of the Directors, of the time and place, in a Newspaper printed in the said County of Westmorland, seven days at least before the time of meeting; special meetings may be called by the authority of the Directors, or by shareholders representing not less than four hundred shares, upon giving the like notice.

15. No shareholder shall be entitled to transfer or vote upon any share after any call shall have been made in respect thereof, until he or she shall have paid all calls for the time being, and on every share held by him or them.

16. No dividend shall be paid in respect of any share until all calls then due in respect of that and every other share held by the person to whom such dividend may be payable, shall have been paid.

17. Unless five per cent. of the capital stock of the Company shall be actually paid in for the purposes thereof, and certificates verified on oath by the Secretary or Treasurer, or the Directors, or a majority of them, (which oath any Justice of the Peace is hereby authorized to administer), shall be filed in the office of the Secretary of the Province before the expiration of four years after the passing of this Act, and the operation of the same shall cease, and the existence of the Company terminate at the expiration of the said four years.

CAP. LXXXVI.

An Act to incorporate the Musquash River Stream Driving Company.

Sec.

1 Company incorporated.

2 Power of Company.

3 Tolls may be demanded; scale of.

Sec.

4 Company to have lien on Logs for payment of tolls.

5 When Act becomes void.

Passed 21st April, 1869.

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

1. That Charles F. Clinch and Samuel R. Clinch, their heirs, administrators, executors, or assigns, shall be and they are hereby entitled to all the powers and privileges incident to a Corporation by Act of Assembly of this Province, for the purpose of clearing out and building dams on the West Musquash River, from the mill at the head of tide water, in the Parish of Lancaster, on the said River, to the head waters of the same, including all its various branches, to facilitate the driving of logs and timber thereon.

2. The said Charles F. Clinch and Samuel R. Clinch, their heirs, executors, administrators, or assigns, shall have power and authority, by themselves or their agents and workmen, to enter in and upon and occupy for that purpose, any lands bordering on said River, its lakes, or any of its branches, within the limits before defined, as shall be necessary for constructing sluices, building dams, and making other improvements which may be required to facilitate the driving of logs and timber thereon, doing no unnecessary damage thereto; and the said Charles F. Clinch and Samuel R. Clinch, their heirs, administrators, executors, or assigns, shall be liable for all damages sustained by the taking of any land necessary to be taken and used for the purposes of this Act, or for any damage arising from their operations under this Act.

3. The said Charles F. Clinch and Samuel R. Clinch, their heirs, administrators, executors, or assigns, are hereby authorized to demand and receive tolls of and from all persons, owners of logs, timber and other lumber passing along said River, as follows, viz:—For every thousand superficial feet of logs, timber and other lumber passing the dam to be built at Log Falls, twenty five cents; for every thousand superficial feet of logs, timber and other lumber passing through the dam and other improvements at and on the outlet of Sherwood Lake, fifty cents; for every thousand superficial feet of logs, timber or other lumber passing through the dam to be built on Queen's Lake Stream, near its outlet at the head of Sherwood Lake, seventy five cents, and proportionate rates for every other dam that may be built by the said Charles F. Clinch and Samuel R. Clinch, their heirs, executors, administrators, or assigns, and deemed absolutely necessary for the purpose of the driving of logs, &c. on the said River or any of its branches.

4. The said Charles F. Clinch and Samuel R. Clinch, their heirs, executors, administrators, or assigns, shall have a lien on all logs and timber passing through such portion of the River as may be improved under the provisions of this Act, for the payment of all tolls assessed; and in case of refusal or neglect to pay, so much of said logs or timber of each owner thereof so refusing or neglecting, as may be necessary to meet such assessment, with the expenses, may be sold by the said Charles F. Clinch and Samuel R. Clinch, their heirs, executors, administrators, or assigns, to pay the same, after having given ten days notice thereof, and the surplus (if any) to be returned to the party assessed.

5. In case the said Charles F. Clinch and Samuel R. Clinch, their heirs, administrators, or assigns, shall fail to expend, within one year from the passing of this Act, for the purpose of improving the said River or its branches, a sum of not less than three thousand dollars, then this Act to become null and void.