

retaining the amount of such assessment and interest due on such share, and the expense of advertising and selling, the residue (if any) shall be paid over to the former owner, and a new certificate or certificates of the shares so sold shall be made out and delivered to the purchaser.

10. In any action 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.

11. 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, (as the case may be), 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 whatever, and thereupon the Company shall be entitled to recover what is due on such call, with interest and costs.

12. 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.

13. The joint stock and property of the said Corporation shall alone be responsible for the debts and engagements of the said Company; and that no creditor or person having any demands against the said Company, for or on account of any dealings with the said Company, shall have recourse against the separate property of any stockholder on account thereof.

14. That in addition to the powers hereinbefore conferred, it shall and may be lawful for the said Company from time to time, to issue Debentures or certificates of debt bearing interest, payable semi-annually, with Coupons at six per cent. per annum, in such number and in such denominations as they may see fit; such Debentures to be numbered consecutively, commencing with number one, and redeemable at such periods as the Company may determine, in no case to exceed twenty years from the date of issuing of such Debentures; provided nevertheless, that the aggregate amount of such Debentures so to be issued by authority of this Act, shall in no case exceed the sum of five thousand dollars; and such Debentures, with the interest, shall be made payable at such time and place as the said Company shall direct.

15. The Debentures to be issued under the authority of this Act shall constitute a lien, incumbrance and first charge on the property of the said Company, saving and excepting the rights of the Crown, and shall be signed by the President of the said Company for the time being, and verified by the common seal of the said Company, and shall also be countersigned by the Secretary of the said Company, and shall be issued in such sums as may be desirable, not less than fifty dollars, provided that the Coupons may be signed by any one of the Directors for the time being, and countersigned by the Secretary; the number, date, amount and time of payment of all Debentures issued under the authority of this Act, shall be recorded in the Record Books of the Registrar of Deeds and Wills for the said County.

16. The Directors of the said Company for the time being shall have the power, and they are hereby authorized to appropriate any surplus of the income over the expenditure required for the current expenses and the half-yearly interest on said Debentures, to the payment of said Debentures, or in funding such surplus in such way and manner as they may desire.

17. That the Debentures issued under this Act shall not be subject to any local tax.

18. The Justices of the Peace for the County of Charlotte at any General Sessions, are hereby authorized and em-

powered to lease, or to sell and convey to the said Company, such part or parts of the Eastern Commons (so called), situate in the Parish of Saint Andrews, in the said County, and on such terms and conditions or for such price as to the said Justices shall seem advisable.

## CAP. LII.

An Act in addition to and amendment of an Act incorporating the Woodstock Railway Company.

Sec.

- 1 Company authorized to execute other mortgages.
- 2 When Town Council may loan to Company.
- 3 Authority to sell or amalgamate with any other Company.

Sec.

- 4 When leases made or to be made, shall be valid.
- 5 When Company may sue for amounts due by stockholders.
- 6 Shareholder may make affidavit.
- 7 Mortgage held by Town Council not to be affected.

Passed 17th May 1871.

WHEREAS the said Company require assistance in their present circumstances, and as it is desirable to grant the power to obtain the same from Town of Woodstock, or other parties with whom the said Company may agree; and whereas some of the calls for stock held in said Company were not made and published as required by the Act incorporating the said Company, and many of the stockholders have paid all their stock, and it is desirable to grant the power that the Company shall be authorized to recover said stock notwithstanding the said calls have not been properly made and published;—

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

1. That the Woodstock Railway Company, in addition to any mortgages or bonds already given by them to any Corporation or persons whatever, may make and execute other mortgages of their undertaking, branch railway, and all other property belonging to them, to an amount or amounts not exceeding in the whole thirty thousand dollars, with all the necessary powers of sale, at a rate of interest not exceeding seven per cent., and payable at such times as may be agreed upon to such persons or Corporation as may agree to take the same; such mortgages, and the interest of the amount thereof, though held by different persons and made at different times, not to have any priority one over another, but the whole mortgages to have equal priority, provided that no security given under the authority of this Act shall affect any lease already made by the said Company.

2. That the Town Council of the Town of Woodstock, with the assent of the majority in value of the rate-payers on property therein, may loan to the said Woodstock Railway Company, a sum of money in Debentures not exceeding twenty thousand dollars, taking a mortgage therefor upon such terms and conditions as they may by any bye law made for that purpose determine; and may also by such bye law provide for the issue of Debentures bearing interest at a rate not exceeding six per cent., and the form, time and mode of payment thereof, and may also by such bye law declare how and in what manner the moneys to pay such Debentures, and the interest thereof, are to be assessed, levied, and collected; that in order to determine the question as to the said loan, a poll shall be opened at the Town Hall in the Town of Woodstock, or other place within the Town to be appointed by the Mayor of said Town, of which ten days notice shall be given by advertisement signed by said Mayor, stating the time, place and object of holding said poll, and the same shall be taken before the Town Clerk or person to be appointed by the Town Council of the Town of Woodstock; and if the majority in value of the property of the rate-payers as assessed in the said Town for the year in which said poll is held, voting shall be given in favor of the said loan, the said Town Council of the Town of Woodstock shall and are hereby authorized to make the same.

3. That the said Woodstock Railway Company are hereby authorized to dispose of their undertaking, and all the real and personal property connected therewith, to any person