

Allotment of Shares, and calling in of capital.

XVIII. If the statement or declaration of the Company makes no other definite provision, any shares of the Capital Stock, not hereby allotted, shall be distributed in such manner as the Trustees, by By-law or otherwise, may ordain, and at least one-tenth part of the allotted Capital Stock thereof shall be called in during every year.

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How the incorporation of the Company shall be stated in any action, &c.

XIX. In any action, suit or other legal proceeding, whether by or against the Company, it shall not be requisite to set forth the mode of incorporation of the Company, otherwise than by mention of the Court by which such Decree was granted, and of the dates of the granting and of the fying thereof, as aforesaid ; and the notice by the Provincial Secretary in the Canada Gazette, of such fying, shall be conclusive proof of the name of the Company, and of the granting and filing of the Decree, and of the observance of every formality required in order thereto ; and a copy of the Decree and of the statement or declaration whereon the same is based, being certified either by the Prothonotary or Clerk having custody thereof, or by the Provincial Secretary, shall conclusively establish every clause, matter and thing, therein set forth.

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Effect of Copy of Decree of incorporation as evidence, &c.

XX. The provisions of the ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, and nineteenth sections of the Act hereby amended, shall be held to apply to such Companies, in so far only as the same may not have been expressly derogated from (in terms of the fourth section of this Act) by the statement or declaration of the Company.

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Application of certain Sections of the Act may be modified by the Declaration.

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Sect. 21 of the said Act Amended.

XXI. The twenty-first section of the said Act is hereby so amended as to read thus :—

New section.

The Trustees of every such Company may call in and demand from the Stockholders thereof, respectively, all sums of money by them subscribed, at such times and in such payments or instalments as the statement or declaration of the Company, or as this Act, may require or allow ; and if payment be not made by any Stockholder, within sixty days after personal demand on him therefor, or after notice requiring such payment has been inserted as often as once a week, for six successive weeks, in a newspaper published in the City, District or County wherein the Company carries on its operations, or has its chief place of business, as the case may be, or (in default of such newspaper, then) in a newspaper published as near thereto as may be,—the shares whereon such payment is not made, and all previous payments made thereon, may be summarily forfeited, by a vote of the Trustees to that effect, reciting the facts and duly recorded in their minutes,—and shall thereupon become the property of the Company.

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Sect. 23 of the said Act Amended.

XXII. The twenty-third section of the Act is hereby so amended as to read thus :

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New section.

Every such Company shall cause a book to be kept by the Clerk, Secretary, or other Officer thereof, wherein shall be kept recorded :—

1. A correct copy of the Decree of Incorporation of the Company, and of the statement or declaration whereon the same is based,—as also, of any and every By-law and declaration for increasing the Capital Stock thereof, and of all Orders of Court allowing the same.

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2.—The names, alphabetically arranged, of all persons who are or have been stockholders ;

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3.—The address and calling of every such person, while such Stockholder ;