

thereof at different periods, all rank concurrently and by equal privilege on the real estate of the said Company, as much to all intents and purposes whatsoever as if all such bonds and mortgages were issued and registered at the same time, the registration thereof being only requisite in so far as the rights of the holders thereof against third parties are concerned, it being the true intent and meaning of this Act, that each and every holder of a bond to be issued under its authority shall, if issued under a resolution to that effect, and it so appear on the face of them, rank and have equal precedence the one with the other, on the real estate of the said Company, irrespective of the time when any such bond or bonds may have been issued or registered.

XXXIII. And be it enacted, That if after having borrowed any part of the money so authorized to be borrowed on mortgage or bond, the said Company pay off the same, it shall be lawful for them again to borrow the amount so paid off and so from time to time.

XXXIV. And be it enacted, That no such Debenture or mortgage (although it should comprise future calls on the Shareholders) shall, unless expressly so provided, preclude the said Company from receiving and applying to the purposes of the said Company, any calls to be made by the Company.

XXXV. And be it enacted, That any summons or any suit or other proceedings at law or in equity requiring to be served upon the said Company, may be served by the same being left at or transmitted through the Post, directed to the principal office of the said Company, either in this Province or in England, or by being given personally to the Secretary, or in case there be no Secretary, then by being given to any one Director of the said Company.

XXXVI. And be it enacted, That in case persons against whom the said Company shall have any claim or demand become bankrupt or take the benefit of any Act for the relief of insolvent debtors, it shall be lawful for the Secretary or Treasurer of the said Company, in all proceedings against the estate of such bankrupt or insolvent, or under any Fiat, adjudication, sequestration or Act of insolvency against such bankrupt or insolvent, to represent the said Company, and act on their behalf in all respects as if such claim or demand had been the claim or demand of such Secretary or Treasurer and not of the said Company.

XXXVII. And be it enacted, That all suits for indemnity for any damage or injury sustained by reason of the undertaking hereby authorized, or of the exercise of the powers hereby given, shall be instituted within six calendar months next after the time of such supposed damage sustained, or if there shall be continuation of damage, then within six calendar months next after the doing or committing such damage shall cease, and not afterwards, and the defendants may plead the General Issue and give this Act and the special matter in evidence at any trial to be had thereupon, and may prove that the same was done in pursuance of and by authority of this Act, and the lapse of the said period shall *ipso jure* be a bar to any action instituted after the said period.

XXXVIII. And be it enacted, That in all actions or suits at law by or against the Company, or to which the said Company may be a party, instituted in Lower Canada, recourse shall be had to the Rules of Evidence

rank concurrently and by equal privilege.

Company; may re-borrow amount paid off.

Debentures not to affect future calls.

What shall constitute a valid service of process.

Secretary or Treasurer to represent Company in case of Bankruptcy.

Limitation of period within which action to be brought for damage.

English laws of Evidence to prevail.