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which course of conduct he persisted up to the filing of the bill in this suit: that during this period he had not only used the moneys of the company in his own private business, but loaned various sums to divers persons, sometimes upon mere personal security, and sometimes upon mortgage, and that on various occasions such loans were made to his co-directors. And amongst these dealings a loan to the Town Council of Dundas is particularly specified. The bill charges that *Paterson* refused to furninsh the stockholders with an account of these dealings, although repeatedly required so to do, and especially at a meeting held on the 3rd day of April, 1848, upon which occasion certain resolutions were read to the shareholders by plaintiffs *Hamilton* and *Hatt*, requiring the directors to submit to the shareholders a detailed account of the affairs of the company, and to call a general meeting of the corporation in the month of May following to examine the said accounts, *and devise means for the completion of the canal.* The bill further charges, that although *Paterson* then promised to comply with those resolutions, he subsequently declined, and that in consequence of such non-compliance, the plaintiffs *Hamilton* and *Hatt* served a notice upon the president and directors, requiring them to call a special meeting of the shareholders on the 15th of January then next, for the purpose of receiving an exact statement of the affairs of the company under the 23rd section of the act of incorporation, which notice was signed by plaintiffs *Hamilton* and *Hatt*, and thirty others, representing a majority of the stockholders: that the president having called the said meeting at Toronto instead of Dundas, the plaintiffs *Hamilton* and *Hatt* attended and protested against its legality, notwithstanding which, the president and directors by means of their own votes, carried a resolution affirming the legality of the meeting, and lastly, that the accounts then submitted were imperfect and fraudulent, and did not furnish the information which it was the duty of the directors to have supplied.

Judgment.

The bill prayed that an account might be taken of all the affairs, transactions, and dealings of the company, or of