

one share, or more, (stating the number of shares,) in the stock of the Company, and that he is indebted to the 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 of such calls,) whereby an action hath accrued to the Company.

XIV. And be it enacted, That on the trial or hearing of any such action, it shall be sufficient for the Company to prove that the Defendant, at the time of making such call, was a holder of one share or more in the said Company, (and when there has been no transfer of the shares, then the proof of subscription to the original or other agreement to take stock, shall be sufficient evidence of holding stock to the amount subscribed,) and that such notice of the call or calls was given as is required ; and it shall not be necessary for the Company to prove the appointment of the Directors who made such call, or any other matter whatever, and thereupon the Company shall be entitled to recover what shall be due upon such call, with interest thereon, unless it shall appear that due notice of such call was not given.

What only
need be
proved in
such action.

XV. And be it enacted, That in any action or suit brought by or against the said Company, upon any contract, or for any matter or thing whatsoever, any Stockholder, or any Officer or Servant of the Company, shall be competent as a witness, and his testimony shall not be deemed inadmissible on the ground of interest, or of his being such Servant or Officer.

Officers of
Company to
be competent
witnesses.

XVI. And be it enacted, That if any person or persons shall in any way injure, cut, break down or destroy any part of the said road, piers, wharves, storehouses, or other buildings, erections or improvements, made or to be made by the said Company, in, upon, or near the said road or Harbour, and belonging to or used for the convenience of the said Company under the provisions of this Act, every such person so offending, and being lawfully convicted thereof, shall be deemed guilty of a misdemeanor, and shall be punished by fine and imprisonment ; and if any person or persons shall remove any earth, stone, plank, timber, or other materials, used, or intended to be used, in or upon the said Harbour or Road, for the construction, maintenance, or repair thereof ; or if any person shall wilfully pull down, break, injure or damage any table of tolls put up or fixed at the said Harbour, or shall wilfully or designedly deface or obliterate any of the letters, figures or marks thereon, or on any finger-post ; or if any person shall throw any earth, rubbish or other matter or thing, into any drain, ditch, culvert, or other watercourse made for draining ; or if any person shall, without permission, carry away any stones, gravel, sand, or other materials, dirt or soil, from any part of such road, or dig any holes or ditches on the allowance for the same, or use the work constructed by the Company, without first having paid the

Punishment
of persons
destroying or
injuring the
Company's
works, &c.