

Powers of
Company,
&c., under
memorandum

74. The Company may by deed of agreement, approved of at a special meeting of the members, amalgamate with any other Company formed or to be formed for a similar purpose, either in this Province or in Great Britain, and upon such Companies being so amalgamated, they shall form one Company, which Company shall be the Company hereby incorporated, and upon such amalgamation being effected, the Company shall have all the rights and be invested with all the assets and securities of both Companies, and shall be liable directly to all the creditors thereof for all the liabilities thereof. 5

Articles of
Association
registered in
England,

75. In any action to be brought by the Company against any member, to recover any money due by him in his character as member for any call, or on any account, it shall not be necessary to set forth the special matter, but it shall be sufficient for the Company to declare that the defendant is a member of the Company, and is indebted to the Company in respect of one call or more, or other money due, whereby an action hath accrued to the Company by virtue of this Act. 10 15

Residence of
the Directors.
Amalgama-
tion with an-
other Com-
pany.

76. On the trial of any such action for the recovery of money due for a call, it shall be sufficient to prove that the defendant, at the time of the making of such call, was a member of the Company, and that such call was, in fact, made, and such notice thereof given as is directed by this Act; and it shall not be necessary to prove the appointment of the Directors who made such call, nor any other matter whatsoever; and thereupon the Company shall be entitled to recover what shall be due upon such call, with interest thereon at the rate aforesaid. 20

Declaration in
action.

77. In all legal proceedings under this Act general or other releases, for the purpose of qualifying any person in the service of the Company to give evidence as a witness, may be granted by any two or more of the Directors or Local Directors; and every such release or discharge, under the hands and seals of two of the Directors or Local Directors, shall be as effectual for the purpose aforesaid as if made under the common seal of the Company. 25 30

What matters
only need be
proved in ac-
tion for calls.

78. In case any *fiat* in bankruptcy shall be awarded against any person who shall be indebted to the Company, or against whom the Company shall have any claim or demand, it shall be lawful for any person who shall from time to time in that behalf be appointed, by writing under the hands of any three or more of the Directors or Local Directors of the Company for the time being, to appear, and he is hereby authorised to appear, and act on behalf of the Company in respect of any such claim, debt, or demand, before the Commissioners, under any such *fiat* in bankruptcy, either personally or by his affidavit, sworn and exhibited in the usual manner, in order to prove and establish any such debt, claim, or demand under such *fiat*; and such person to be so appointed shall in all such cases be admitted and allowed to make proof, or tender a claim under any such commission on behalf of the Company in respect of such debt, claim, or demand, and shall have such and the same powers and privileges as to voting in the choice of assignees, and signing certificates and otherwise in respect of any such debt admitted to be proved on behalf of the Company, as any other person, being a creditor of such bankrupt in his own right, would have in respect of the debt proved by him under such *fiat*. 35 40 45 50

Release to
witnesses.

79. Notwithstanding anything in this Act contained, every deed which any person lawfully empowered in that behalf by the Company as their attorney, signs on behalf of the Company, and seals with his seal, shall be binding on the Company, and have the same effect as if it was under the common seal of the Company. 55