

allege that the defendant is the holder of one or more shares in the stock (stating the number of shares) and is indebted to the Company in the sum to which the calls in arrear may amount ; and in any such action it shall be sufficient to maintain the same that the signature of the defendant to some book or paper by which it shall appear that such defendant subscribed for a share or a certain number of shares of the stock of the said Company or undertaking, be proved by one witness whether in the employment of the Company or not, and that the number of calls in arrear have been made, and the suit may be brought in the corporate name of the Company.

XIII. And be it enacted, That no one instalment to be paid on account of the shares of the stock of the Company shall exceed two pounds and ten shillings on each share, and notice thereof shall be given by advertisement in at least one news paper published in the town of Saint Catharines during two consecutive weeks before such instalment shall be called for ; Provided always, that no instalment shall be called for, except after the lapse of at least one month from the time when the last instalment was called for, and if any person shall neglect or refuse to pay his share or shares of such money called for and to be paid in as aforesaid at the time and places appointed for that purpose, such person so neglecting or refusing may be sued as aforesaid, or at the option of the Directors, shall thereby incur a forfeiture of not more than ten, nor less than five per cent, on the amount of his respective share or shares, and if such person shall refuse or neglect to pay his proportion of the installment demanded for the space of two calendar months after the time fixed for the payment thereof, then and in that case such person shall forfeit to the Company his share or shares upon which former instalments shall have been paid, and such share or shares shall be sold by order of the Directors, by public auction, and the proceeds of the sale, after deduction as well of the costs and the forfeiture above mentioned as of all calls due in respect of such shares and interest thereon, from the times at which such calls were respectively made payable, which calls and interest the said Company are hereby authorized first to deduct and retain, shall be paid over to such Defaulter and the President or other proper officer appointed for that purpose, shall have power to transfer the stock to the purchaser, and it is hereby provided that it shall and may be lawful for the Directors to declare at any of their meetings any share duly forfeited to the Company for the cause aforesaid, and every such forfeiture shall be an indemnification to and for every proprietor so forfeiting against all action or actions, suits or prosecutions whatever to be commenced or prosecuted for any breach of contract or other agreement between such proprietor and the other proprietors with regard to carrying on the said Gas and Water Works.

Installments
not to exceed
£2 10 0.

Proviso.