

for the Company or Association to declare that the defendant is a holder of one share or more in the Company or Association, (stating the number of shares,) and is indebted to the Company or Association in the sum of money to which the calls in arrear shall amount, in respect of  
 5 one call or more upon one share or more (stating the numbers and the amount of each of such calls) whereby an action hath accrued to the Company or Association by virtue of this Act.

XXXII. On the trial of such action, it shall be sufficient to prove that the defendant, at the time of making such call, was a holder of one  
 10 share or more in the Company or Association, and that such call was, in fact, made, and such notice thereof given as is prescribed 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 or Association shall be entitled to recover what shall be  
 15 due upon such call with interest thereon, unless it shall appear either that any such call exceeds the amount per share, or that due notice of such call was not given, or that the interval of three months between two successive calls had not elapsed, or that calls amounting to more than the sum of in one year had  
 20 been made.

What shall be proved in actions for calls.

XXXIII. The production of the register book of Shareholders of the Company or Association, or a certified extract therefrom, under the signature of the Secretary of the Company or Association, shall be evidence of such defendant being a Shareholder, and of the number and  
 25 amount of his shares, and of the sums paid in respect thereof.

Proof of defendant being a shareholder.

XXXIV. If the holder of any share fail to pay a call payable by him in respect thereof, together with the interest, if any, that shall have accrued thereon, the Directors, at any time after the expiration of one month from the day appointed for payment of such call, may declare  
 30 such share forfeited, and that whether the Company or Association have sued for the amount of such call or not.

Forfeiture of shares for non-payment of calls.

XXXV. Before declaring any share forfeited, the Directors shall cause notice of such intention to be left at the usual or last known place of abode of the person appearing by the register book of proprietors to be the proprietor of such share; and if the proprietor of any such share be abroad, or if the interest on any such share shall be known by the Directors to have become transmitted otherwise than by transfer, as hereinbefore mentioned, but a declaration of such transmission shall not have been registered as aforesaid, and so the address of the parties to  
 35 whom the same may have been transmitted shall not be known to the Directors, the Directors shall give public notice of such intention in the London Gazette, and also by advertisement in a newspaper as hereinafter provided, and the several notices aforesaid shall be given twenty-one days, at least, before the Directors shall make such declaration of  
 40 forfeiture.

Notice of forfeiture to be given before declaration thereof.

XXXVI Such declaration of forfeiture shall not take effect so as to authorize the sale or other disposition of any share, until such declaration have been confirmed at some general meeting of the Company or Association, to be held after the expiration of two months, at the least, from  
 50 the day on which such notice of intention to make such declaration of forfeiture shall have been given; and it shall be lawful for the Company or Association to confirm such forfeiture at any such meeting, and by

Forfeiture to be confirmed by a general meeting.