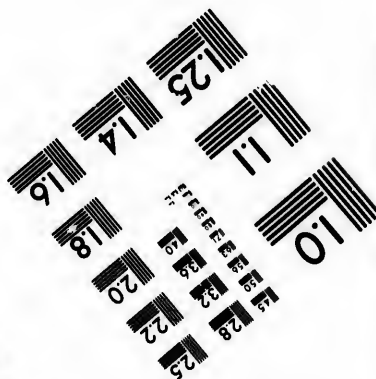
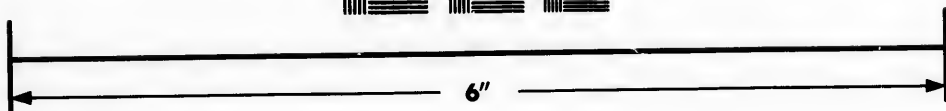
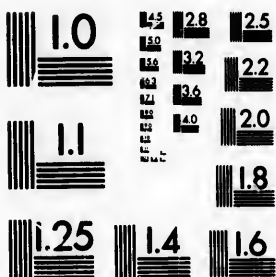


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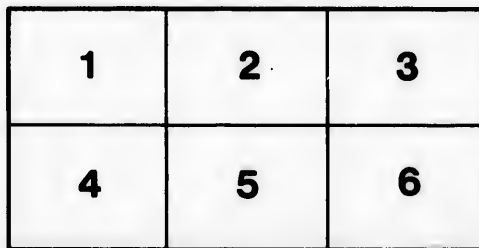
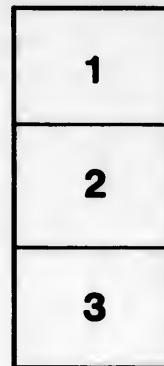
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J. J. S. Pamphlet Box 71

New Campbellton Coal Mines.

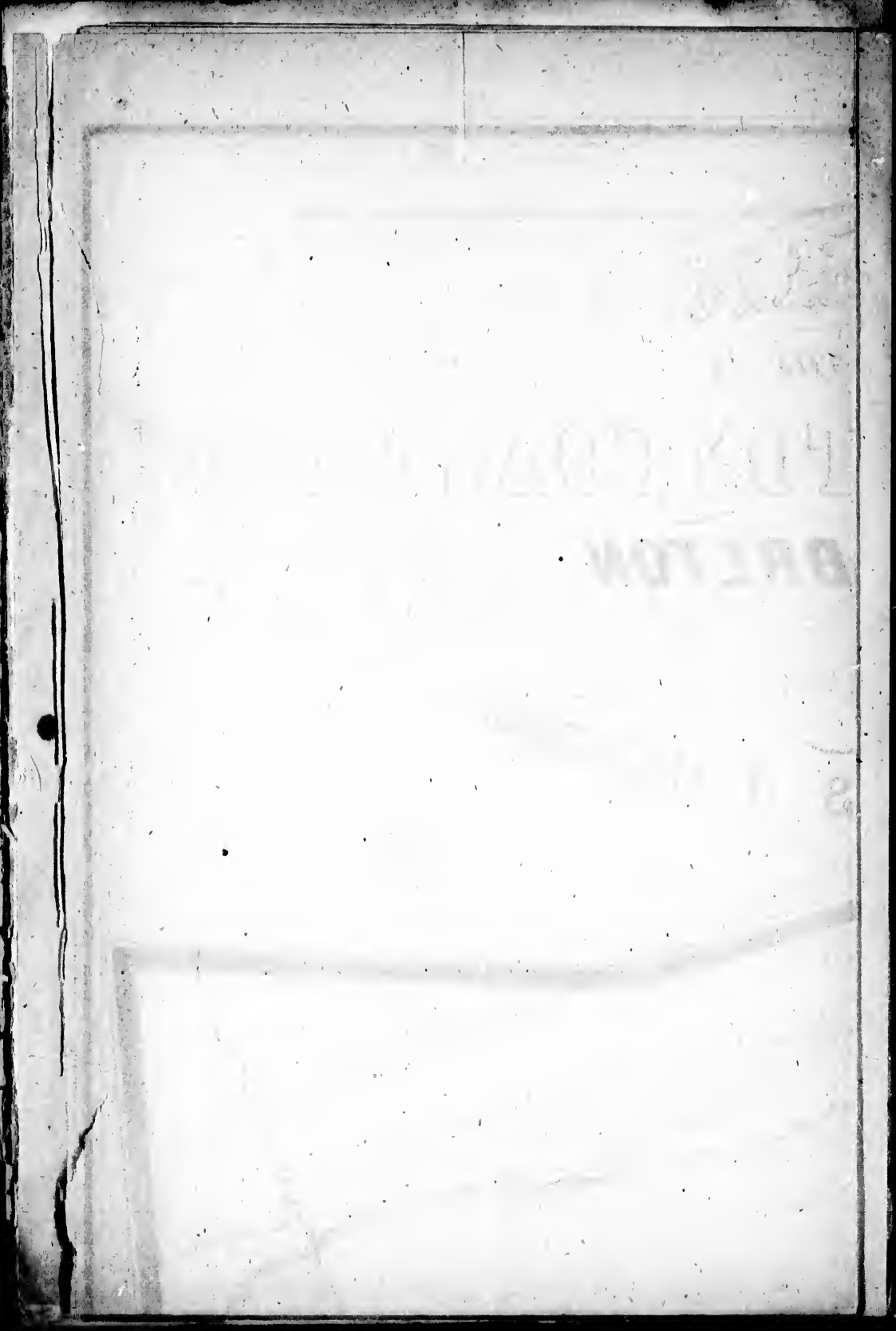
CAPE BRETON,

NOVA SCOTIA.

Charles Robb.







1701

1702

1703

1704

1705



# REPORTS

ON THE PROPERTY OF THE

## New Campbellton Coal Mines,

COMPRISING

**Three Square Miles,**

SITUATED IN

**Cape Breton,**

NOVA SCOTIA.



**Montreal :**

PRINTED BY JOHN LOVELL, ST. NICHOLAS STREET.

1874.

WHARF



24

96

100

SECTION

Sea

*Road to Baddeck*

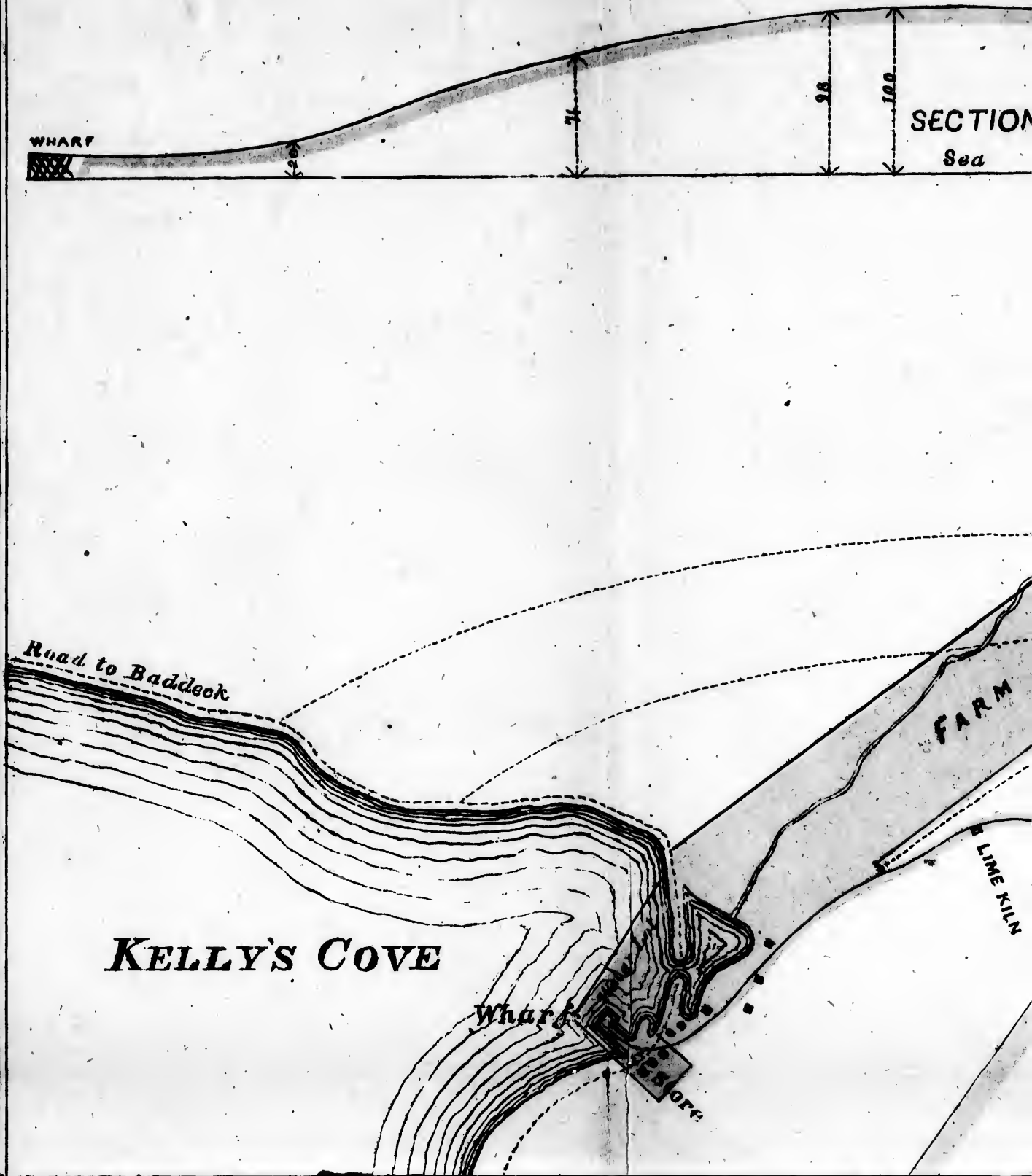
FARM

LIME KILN

**KELLY'S COVE**

Wharf

Store



COAL SLOPE



SECTION OF RAILWAY.

Sea

Level

100

82

FARM 120 ACRES

LIME KILN

RAILWAY

NEW CAMBER

QUARRY

White House

COAL SLOPE  
At 5 1/2 ft

25 Acres  
Search

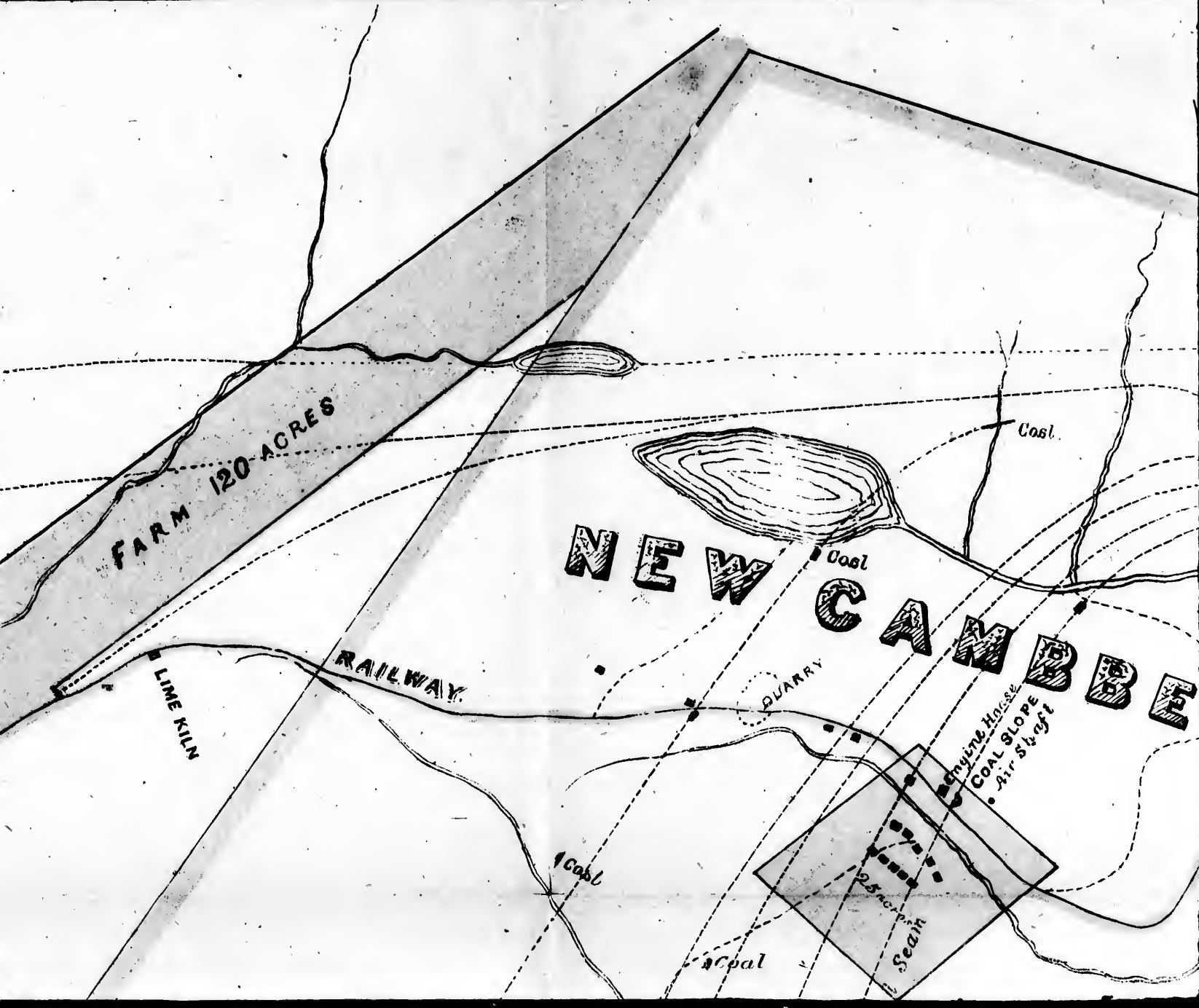
Cost.

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Cost



TUNNEL

55

NEW CAMPBELL

C.

HON. CH.

Cost.

old Pits

Four feet & some  
SACRES

Six Feet Sedm

TUNNEL

CAMPBELLTON

TRAMWAY.

Mining  
North  
25° W.  
Magnetic  
Variation

COAL SLOPE  
Air 5 1/2 ft

Search

WRY

25 Acres

A

PLAN

OF THE

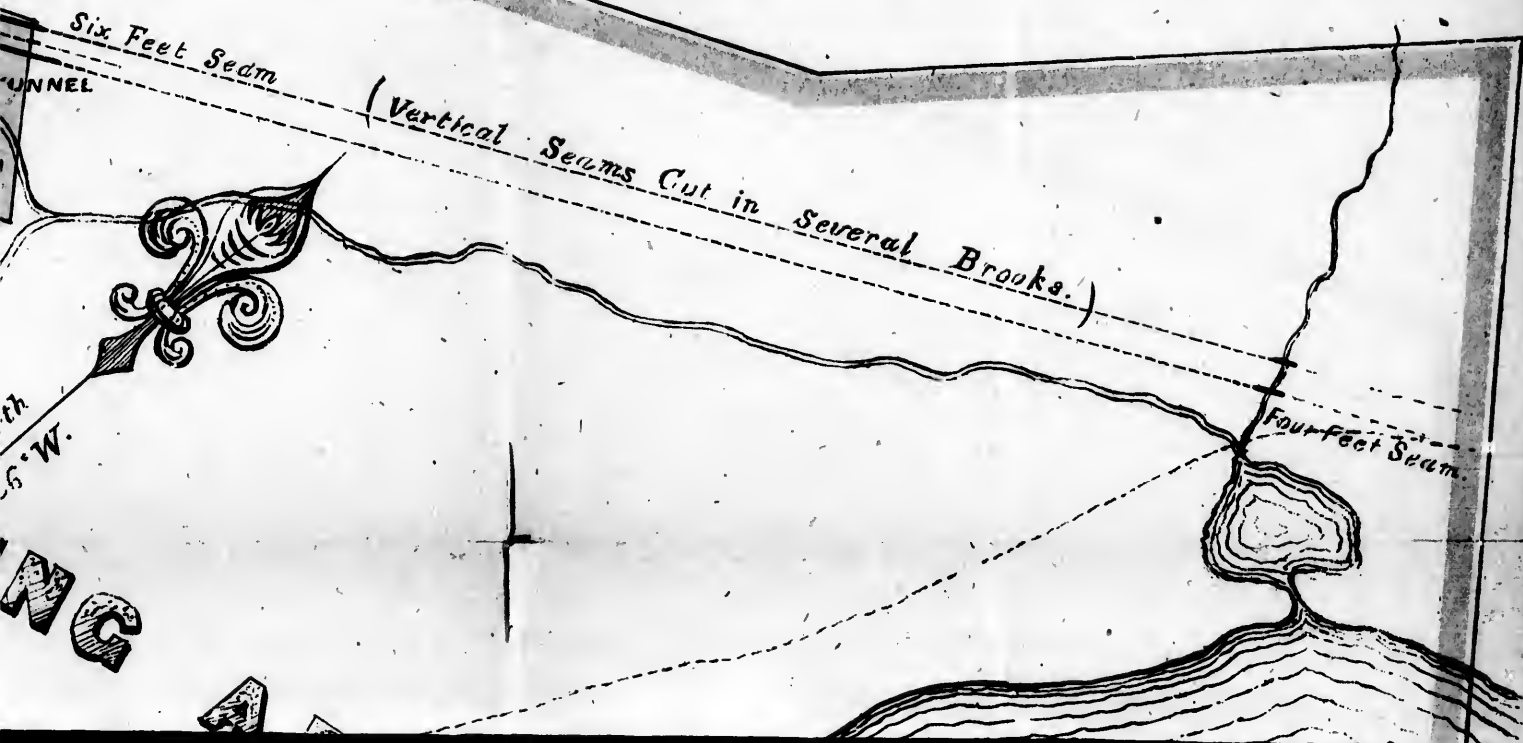
MPP BELLTON COAL MINES

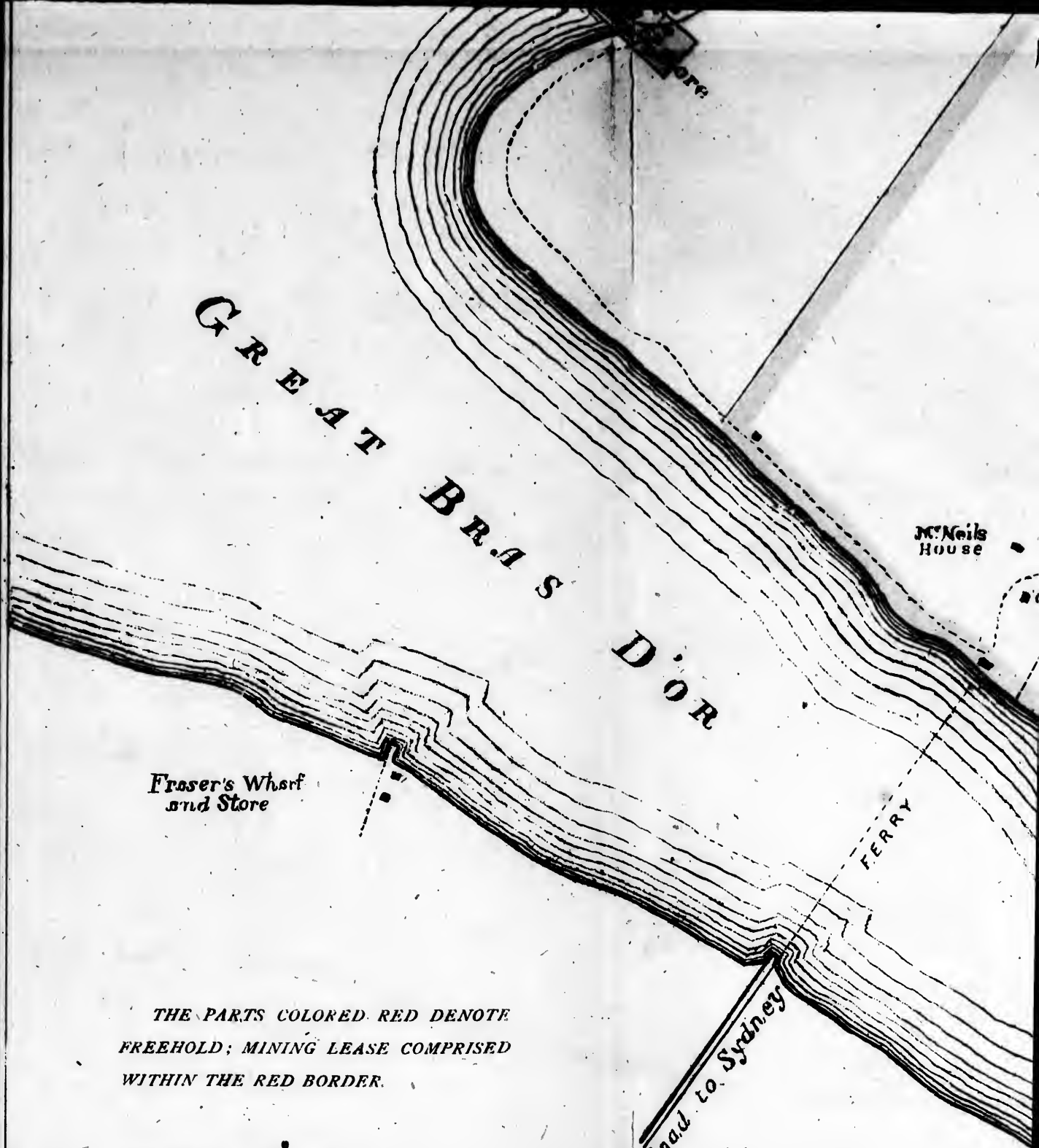
CAPE BRETON

N. S.

THE PROPERTY OF

MR. CHARLES J. CAMPBELL.





G R E A T  
B R A S  
D ' O R

Fraser's Wharf  
and Store

McNeil's  
House

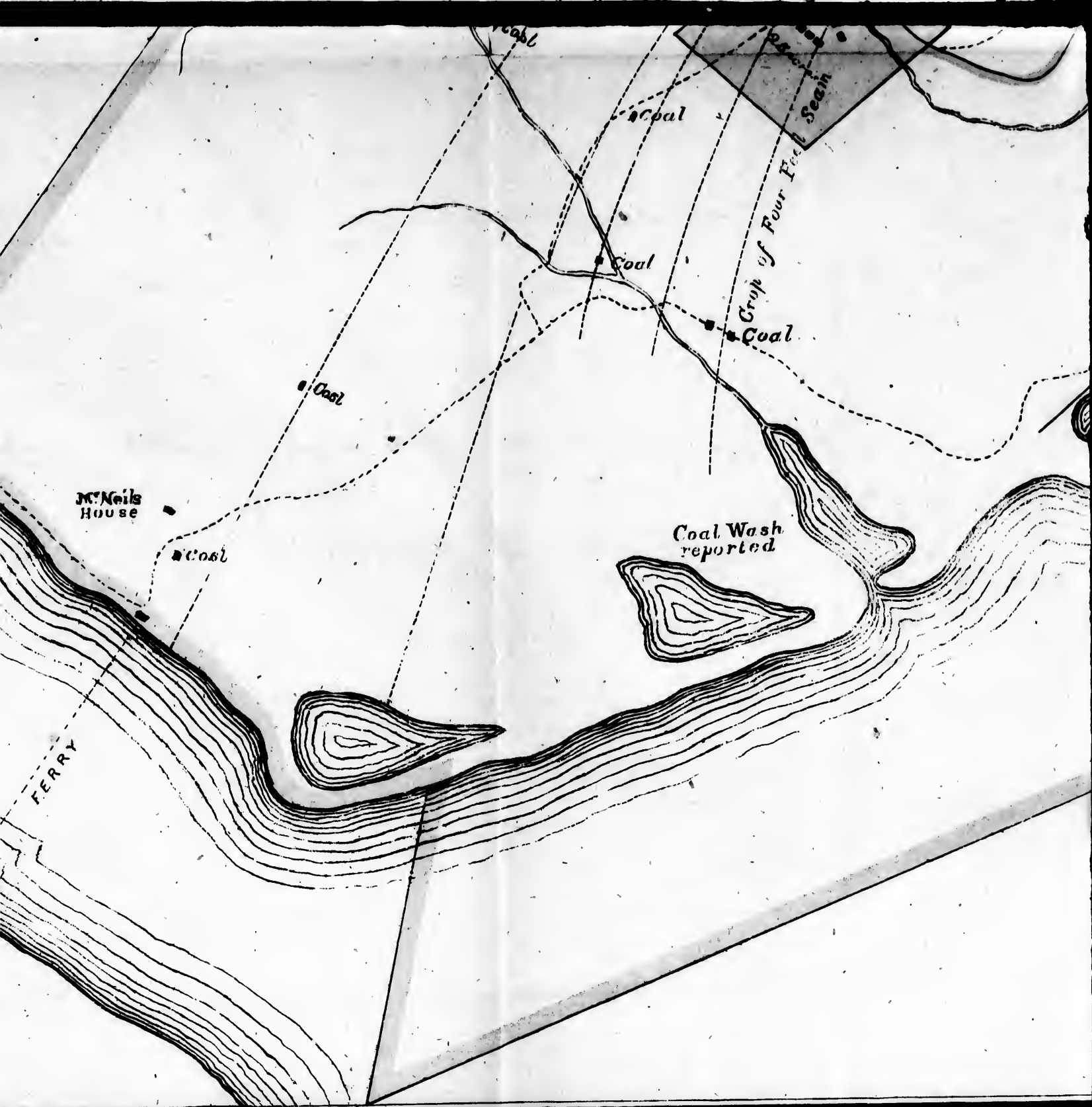
FERRY

Road to Sydney

THE PARTS COLORED RED DENOTE  
FREEHOLD; MINING LEASE COMPRISED  
WITHIN THE RED BORDER.

ROBERTS & CO LITH





McNeil's  
House

Coal

Coal

Coal

Coal

Coal

Crop of Four Feet Seen

Coal Wash  
reported

FERRY

Magnetic Variation 25

Group of Four Feet  
Coal

Fire Clay and  
Probably Cr

al. Wash  
ported



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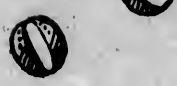
AREA

Fire Clay and Black Batt.  
Probably Crup of a Seam

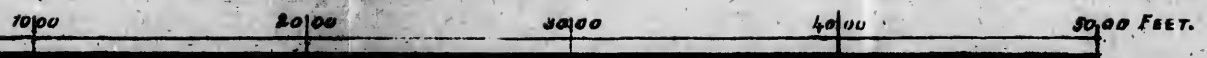


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Scale.



CHARLES ROBB FEBY 1874.

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John G. ...

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REPORTS  
ON THE  
**New Campbellton Coal Mines,**  
SITUATED IN  
CAPE BRETON, NOVA SCOTIA.

---

REPORT OF MR. CHARLES ROBB,  
OF THE GEOLOGICAL SURVEY OF CANADA.

---

MONTREAL, *12th February, 1874.*

HON. CHARLES J. CAMPBELL,  
Baddeck, C. B.

SIR,

Having had occasion, in the course of my explorations last summer in Cape Breton, in connection with the Geological Survey of Canada, to visit and examine your coal mining property at New Campbellton, and having been requested by you to state such facts as have come under my observation in relation to its value for mining purposes, I have now much pleasure in complying with your request.

In illustration of my remarks I have prepared a plan of the property, showing its position, extent and topographical features, and the course and probable connection of the various coal seams found thereupon, &c. The areas leased for mining purposes are denoted on the plan by the red border at the boundary lines; while the portions of land pertaining to the property and held in fee-simple are distinguished by the same tint.

## SITUATION AND GENERAL DESCRIPTION OF THE PROPERTY.

This property on which, with occasional intermissions, mining operations have been carried on for the past ten years, comprises the mining rights on three square miles or 1920 acres, a small proportion of which, as shewn on the plan, is sea area, but easily accessible and workable from the land. It includes also the fee-simple or freehold right of an ample extent of land for all requisite buildings and premises connected with the collieries, for railways, stores and shipping wharves. A farm of 120 acres, immediately adjacent to the wharf, and a portion of which is under cultivation, forms also part of the property, which comprises in all about 170 acres in freehold.

This mining property is situated on the northern side of the Great Entrance of the Bras d'Or Lake, a very extensive and deep arm of the sea, occupying a great part of the interior of the Island of Cape Breton. It is contiguous to Kelly's Cove, which forms a deep, capacious and well sheltered harbor, admirably adapted in every respect for a shipping place. This harbor is about three miles from the Atlantic Ocean, with which it communicates by a broad and deep channel; and is within an easy distance from the track of the great ocean steamers plying between Canada and Great Britain, as well as the maritime provinces. For local demand and for convenience of shipment to Halifax, it offers the direct and safe internal navigation of the Bras d'Or; thereby avoiding the dangers and delays incident to a long ocean coasting voyage around the eastern shores of the island.

Recently important beds and veins of iron ore have been discovered and partially worked at certain points along the shores of the Bras d'Or Lake; in connection with which, and in view of the facilities afforded by the New Campbellton Mines for the supply of fuel for smelting and other purposes, the value of this mining property will probably be enhanced.

## GEOLOGICAL FEATURES.

Your property lies at the north-western extremity of the Great Sydney Coal Field, and about thirteen miles distant on the course of the beds from the justly celebrated Sydney Mines, which have



been for upwards of a century in extensive and successful operation. Most of the coal seams of the Sydney Mines are traceable throughout the whole of this distance ; and although at the Great Entrance their direct continuity seems to have been interrupted, and their course deflected considerably to the west, it is nevertheless believed on good grounds that some of the most important seams of the district underlie the New Campbellton property in a basin shape, with their outcrops comprised entirely within the area.

The surface of the ground throughout this area is for the most part very rough and irregular ; thus rendering the tracing of the seams and their identification at different points a matter of some doubt and difficulty. The western boundary of the property is skirted by a high ridge of syenite ; upon the flank of which three coal seams, one of six feet, another of two feet, and another of four feet in thickness repose in a nearly vertical position. The whole group is included within a thickness of 110 feet ; the two feet seam being intermediate between, and about equally distant from the six and four feet seams. These have been traced running in a perfectly straight course over a length of 100 chains or one and a quarter mile ; and the four feet and six feet seams have been partially worked for a length of 560 yards and 53 yards respectively, by a tunnel or adit driven across the strike, and connecting both seams transversely at or near the natural drainage level. A considerable quantity of coal has been here obtained and shipped, chiefly from the four feet seam, by overhead workings in the ordinary bord and pillar method, above the levels referred to.

At the distance of about three-quarters of a mile southward from the tunnel, a seam of coal four feet five inches in thickness crops out, dipping to the east at an angle of about twelve degrees, and which has been worked to some considerable extent by a slope. Although its attitude and course are thus very different from that of the seam cut in the tunnel, there can be little doubt that they are identical, and that the area included within and beyond their outcrops is in the form of a basin, which will be entirely underlaid by this and all the accompanying coal seams, as above specified, to the extent of their respective outcrops. In confirmation of this view it is found that the seams themselves and associated strata, where seen along the side of the mountain to the south-west of the tunnel, instead of

maintaining the straight course which they have in the opposite direction, gradually bend round to the south with diminishing dip to meet the seam worked at the slope.

The four feet seam (so called) has been traced, partly by underground workings and partly by surface openings, for a distance of nearly a mile across the property; and will no doubt extend over its entire breadth. The underlying seams have been exposed at intervals, to a sufficient extent to render it probable that they will also be found throughout in their proper relative positions. Thus supposing these three seams to maintain their thickness, and to be unaffected by faults, they will underlie, at a moderate and easily workable depth, an area of 1,000 acres; and contain 18,000,000 tons of coal, exclusively of the vertical portions of the seams which may be estimated to contain 8,000,000 or 10,000,000 tons additional. It is proper to mention, however, that the six feet seam, where cut and partially worked at the tunnel, is irregular in thickness, and may not prove to be workable throughout its whole extent; but on the other hand there are unmistakable evidences of the existence of other seams lying both above and below those specified. It is also worthy of remark that, although that part of the area where the seams have been tested is in a disturbed condition, there is still a very large proportion of it in which the strata appear to be perfectly undisturbed, and where the coal seams may reasonably be expected to partake of the same regularity.

#### EXTENT OF THE WORKINGS.

Mining operations for the extraction of coal for the market have been carried on upon this property since the year 1862. These, however, have been conducted only to a limited extent, owing chiefly to the want of a local demand, and to the general depression in the coal trade in the British Provinces after the abrogation of the reciprocity treaty with the United States.

During the time your collieries have been in operation, the coal was obtained partly from the tunnel and partly from the slope workings. The extent of the former has already been specified; they were discontinued at that point chiefly in consequence of the limited extent of the seam available overhead, and until preparations could be made for sinking below the level of the tunnel. The slope has

been driven 200 feet on the angle of dip; levels have been extended 385 yards north-west and 140 yards south-east; and the coal, of which a thickness of four feet is available, has been extracted to the rise on the ordinary bord and pillar system, modified to suit the high angle of the seam. The aggregate quantity shipped from these mines from the date of commencement to that of temporary suspension in 1867, (all of which met with a ready market), is 27,066 tons large, and 2,187 tons small coal, besides a very considerable amount used on the works.

Operations have been resumed last summer at the slope by sinking further to the deep, and have been attended by a marked improvement in the quality and available thickness of the seam, with a diminution in the angle of dip. From the last accounts received from the mine, it seems reasonable to expect that, with an additional hundred feet of sinking on the slope—a work which is now in progress—the seam, which has hitherto been worked altogether too near the crop, will yield from four and a half to five feet of good coal.

#### QUALITY OF THE COAL.

The so-called six feet seam, where exposed in the brook at A, shews a thickness of five feet six inches of bright, clear, bituminous coal. This seam, however, as already remarked, does not maintain its regular thickness in the exposures hitherto made. The two feet seam, wherever it has been exposed, is a remarkably fine and pure bituminous coal. The four feet seam, from which by far the largest amount of coal has hitherto been extracted, has been worked both at the tunnel and in the slope, too near to the crop; and consequently the coal has been somewhat contaminated with earthy and other impurities, which, however, have not prevented the demand, and which will probably disappear as the seam is worked farther to the deep, and in those parts of the area where the strata are undisturbed. The coal from this seam is remarkable for its powerful heating qualities; a large sample sent to the Dublin Exhibition in 1865 was very favorably noticed by the Judges.

#### MACHINERY, PLANT, REAL ESTATE AND BUILDINGS.

No machinery has hitherto been employed at the tunnel workings, although such will be requisite in the event of operations being

resumed there. At this part of the property eight acres of land are held in fee-simple, and there are three dwelling houses, a blacksmith's shop, screens, &c. At the slope there is a ten horse power steam engine, with vertical boiler and oscillating cylinder for hoisting, and a powerful "Cameron" pump, supplied with steam from a separate boiler. The tramroads underground and in the slope are 2 feet 6 inch gauge, with iron strap-rails  $2\frac{1}{2} \times \frac{1}{2}$  inch, and supplied with 40 tubs of half a chaldron capacity. The property comprises twenty-five acres of real estate at and in the vicinity of the slope, together with eleven double houses for miners, store houses, powder magazine, blacksmith's shop, screens, &c.

There is a good and substantial railway from the slope to the wharf, a distance of one and a quarter miles, with descending grade for the most of the distance, as shown on the profile. The gauge of the railway (which is capable of being worked by a light locomotive, and is about to be supplied with one) is 3 feet 6 inches, with iron T-rails, chiefly 35 lbs to the yard; the railway is equipped with 40 or 50 trucks or waggons, each capable of carrying one and a half ton, and all in good working order. From the slope to the tunnel a tramway has also been graded, and laid with strap-rails on longitudinal timber sleepers. This part of the road, however, has been allowed to fall into decay in consequence of the discontinuance of the tunnel workings.

At the shipping place at Kelly's Cove there is a water frontage and right of possession to the extent of ten to fifteen chains, with sufficient area in freehold (about twelve acres including both land and water lots) for a complete establishment. The wharf is a substantially built structure, capable of accommodating at one time three vessels for loading coal, with all requisite shoots, also an equal number discharging cargo, &c. The depth of water at the wharf is sixteen feet, which can be easily increased to twenty feet by extending it a little farther from the shore. There are also at this point large, substantial and well furnished store-houses, managers' houses, blacksmiths' and waggon repair shops, fishing establishment, &c.

The property comprises in freehold near the wharf a farm of 120 acres, a portion of which is under cultivation, and the rest tolerably well wooded.

## OTHER USEFUL MINERALS ON THE PROPERTY.

Besides the coal on this property a variety of other minerals of economic value are to be found in inexhaustible abundance ; some of which will be immediately, and probably all prospectively available to enhance its value. Of those I may enumerate the following, viz : sandstone, limestone and syenite for building and ornamental purposes, marbles of various colors, common and magnesian limestone for the preparation of ordinary and hydraulic cement (for which the slack coal will be extensively available, and a good kiln is already erected) ; also common and fire-clay for brickmaking, &c.

These are some of the special advantages possessed by this property over most others in the district ; but the most important consists in the facilities which it offers for the economical production and shipment of a large quantity of coal ; and in the fact that it is actually productive at the present moment, and fully equipped with all requisite appliances for such business ; which with the present and prospective high price for that article, can scarcely fail to be highly remunerative.

I have the honor to be,

Sir,

Your most obedient servant,

CHARLES ROBB.

REPORT OF CHARLES F. ESCHWEILLER, ESQ.,

MINING ENGINEER.

*Addressed to a Party proposing to acquire an interest in the  
Property.*

BOSTON, *July 11th*, 1865.

\* \* \* \* \* The New Campbellton Mine is situated on the Great Bras d'Or, the broadest connection of Bras d'Or Lake with the Atlantic Ocean, about four and a-half miles south of Cape Dauphin, and eight miles west of Sydney. The coal is taken from the mine by a railroad to Kelly's Cove, a distance of two miles and a half, which cove affords an excellent harbor. As soon as the St. Peter's canal, now being constructed, is finished, the distance

from the United States to the mine will not only be much shorter, but the voyage will also be less dangerous both early and late in the season. At present the natural facilities for shipping are as good as at any other of the mines in Cape Breton, and they will be much better as soon as the canal above mentioned is finished.

The wharf is arranged for the loading of three vessels at once; and these arrangements are of the most approved kind. The wharf is constructed in a very substantial manner. There are two warehouses near the harbor, one store, several dwelling houses and a blacksmith's shop. The store is well filled with goods of all kinds; iron, steel, ropes, castings (car wheels) and other mining supplies are found in quantities larger than are usually met with on mines. The dwelling houses are well finished; clap-boarded and with stone foundations. The store has a very good cellar built of freestone, which can be obtained on the property, close to the railroad; limestone and sand are also found, so that buildings can be put up with comparative cheapness.

The railroad has no double track. Horses draw the loaded cars from the adit or shaft within about half a mile of the wharf; where brakemen take charge of the cars, convey them down to the shoots and unload them, to be taken up again by the horses which follow the cars. Although these arrangements answer very well in the meantime, yet there is much loss of time arising from them, and a change should be made. The full cars should pull up the empty ones, which can be done with very little expense. The rail is of strap-iron nailed upon scantling.\*

The mine proper consists of the mineral rights of 640 acres.† This square mile embraces about all which is at present considered as coal-field; but to secure any further discoveries, either of coal beds or bituminous shale, a right of search has been taken out, which eventually will enlarge the mineral right to 1,280 acres. One hundred and seventy acres are held in fee-simple.

Three seams of coal have been discovered on the property; one is two, one four and the other six feet wide. The second alone is now worked, the last, the six feet seam, will be reached by an

---

\*Now changed to T-rails, 35 pounds to the yard.

† Since this Report was written the area has been increased to three square miles or 1920 acres.



adit in a short time. I saw this principal seam cropping out on the slope of the mountain, and also saw coal taken from a shaft sunk upon it, which had been exposed to the air four years, and still looked very well. The seams of coal dip first almost vertically, and then again they have a dip of about 20 degrees to the west. The vertical part is worked by an adit, which is two and a half miles from the shipping point; it is in 360 feet in length, and cuts the seams at a depth of 150 feet from the surface. The four feet seam has been worked here to some extent. The six feet seam was not in its normal condition where struck by the adit, and therefore another cross-cut from the four feet seam was driven which will reach it very soon. Three dwelling houses and a blacksmith's shop are near the adit.

The more horizontal part of the coal seam is worked by an incline shaft, two hundred feet deep. It is arranged for a double track. The hoisting engine, ten horse power, has a vertical boiler and oscillating cylinder, and does also the pumping. The tramroads underground have been put in good condition.

That the coal of Sydney and vicinity sometimes ignites spontaneously is not owing to its inferior quality, but simply to the manner in which the coal seams are wrought. There is no more bisulphuret of iron in these seams than in those of any other coal district; but there is less care taken to separate the poor parts of the seams from the rich coal. This poor part in the four feet seam forms the upper six inches, while it is lying in the middle of the six feet seam, where it is nine inches wide. By picking into this poor portion of the seam, as it is done everywhere, far enough ahead to bring the rest down by wedges, the coal can be kept very clean. The coal then will not only keep without any danger of spontaneous combustion, but it will also look much better. The coal of the six feet seam is of a very superior quality, and will command a high price, if treated in the proper way.

The shaft and adit having been made large, the product of the mine can be made very considerable.

On the whole I do not hesitate to recommend this property to your earnest consideration. With an influence brought to bear on

the coal market, and by the superior quality of the coal of the six feet seam, these mines will soon acquire a great reputation.

CHARLES F. ESCHWEILLER.

---

NOTE IN REGARD TO THE QUALITY OF THE COAL

FROM THE NEW CAMPBELLTON MINES.

POMFRET Ct., 10th Sept., 1873.

\* \* \* As respects the coal from the New Campbellton Mines, I recollect selling a cargo to Messrs. McLaughlin in Boston, Iron workers ; and another to Mr. S. G. Snelling, Treasurer of the Lowell Bleachery. Each of these gentlemen subsequently bought another cargo, which I considered sufficient proof of their good esteem of the coal.

I remember keeping a cargo for several months heaped on a wharf, to ascertain if there were any danger of spontaneous ignition. None took place, and I afterwards sold the coal.

C. J. HIGGINSON.

NEW CAMPBELLTON,  
13th February, 1874.

C. J. Campbell, Esq., Baddeck.

*Dear Sir* :—

\* \* \* \* \*

I may here say in reference to your Mining property, which I have carefully examined in the four past days, that it is high classed. Independent of an inexhaustible supply of coal from the present known seams of four, six, and two feet, all of which are of good marketable qualities, you have fitted up a working plant for the development of these resources such as you will rarely find, even in the advanced ideas of the old country. There is also a never-failing supply of splendid lime stone, slate, building stone, and sand.

ARCHD. GILCHRIST.

HALIFAX, N. S., 26th March, 1874.

C. J. Campbell, Esq.,

*Dear Sir* :—

In answer to your enquiry concerning quality of coal received from you, we beg to state, that for steam purposes, we have found it quite equal to any Cape Breton coal, and if a little more free from slate more lasting and equal to any for general purposes.

Truly Yours,

W. S. SYMONDS & Co.,

L. Symonds.

HALIFAX, March 30th, 1874.

C. J. Campbell, Esq.,

*Sir* :—

In answer to your inquiry as to the quality of the New Campbellton Mines Coal, I beg to say that I bought and stored several cargoes, two years ago, of your New Campbellton Mines Coal. I subsequently retailed it out to my customers. I never heard any complaint against the quality of it. I consider it fully as good as any Cape Breton Coal that comes to this market for domestic or steam purposes, and is much harder and stands more handling than most Cape Breton Coal.

Yours Truly,

JAMES MCDANIEL.

HALIFAX, April 4, 1874.

C. J. Campbell, Esq.,

In reply to your inquiry regarding the quality of the New Campbellton Mines Coal, I beg to say that for the several years that I acted as agent for sale of said coal, I sold large quantities to

the government and others, and believe it gave general satisfaction for steam and domestic use.

Yours Truly,  
EDW. MORRISON.

## An Act to Incorporate the New Campbellton Coal and Lime Company.

(Passed the 30th day of April, A.D. 1873.)

Be it enacted by the Governor, Council, and Assembly, as follows :

1. Charles J. Campbell and his associates, successors, and assigns, are hereby constituted a body corporate by the name of the "New Campbellton Coal and Lime Company," for the purposes of purchasing, holding, leasing and selling Mines and Mining rights, and of opening and working Coal Mines in the Island of Cape Breton or elsewhere in the Province of Nova Scotia, and of manufacturing Coal Oil and other substances from coal, and manufacturing lime and trading in the products of such mines or manufactures, and transacting business connected with any of the purposes aforesaid, with full power to purchase, take, or lease, or otherwise acquire any lands or other property, to construct and make such railways, tramways, or other roads as may be deemed necessary for the transportation of the products of the mines and quarries worked by such Company, and of other articles to and from such mines and quarries, to construct harbors and breakwaters, to purchase, hire, construct, build, or erect all such wharves, docks, piers, mills, houses, buildings, and machinery as may from time to time appear expedient, and to do and perform all other matters and things which the Company may deem incidental or conducive to such objects or any of them.

2. The Capital Stock of the Company shall be Four Hundred Thousand Dollars, to be divided into shares of One Hundred Dollars each, which shall be personal property, transmissible and assignable as such, and the Company shall have power to increase their Capital Stock to One Million of Dollars by the issue of new shares ; but the Company shall not go into operation until twenty-five per cent. of the capital stock is actually paid up.

3. The first meeting of the Company shall be held at such time and place in this Province, as the above incorporators or any three of them shall determine, of which public notice shall be given in one or more newspapers published in the City of Halifax, in this Province, at least twenty days previous to such meeting, and continued to the date thereof, at which or at any subsequent meeting, the Company may be organized by the election of not less than three Directors, and of other necessary officers, and the shareholders present in person or by proxy, shall have power to organize the Company, establish by-laws, and elect all necessary officers.

4. No member of the corporation shall be liable in his person or separate estate for the debts of the Company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid to the Company on account of such stock; unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the Company; but no shareholder who may have transferred his interest in the stock of the Company, shall cease to be liable for any contracts of the Company, entered into before the date of such transfer, so as any action in respect of such liability shall be brought within six months after such transfer.

5. The Directors of the Company may receive lands, mines, buildings, wharves, machinery, mining rights, or privileges, or any interest therein respectively in payment for stock subscribed for, or for any instalments due thereon, but subject nevertheless to such conditions as to valuation or acceptance of the same or otherwise, as may be imposed by the bye-laws of the Company.

6. The transfer of shares in the Company shall be valid and effectual for all purposes from the time such transfer is made and entered in the books of the Company.

7. A list of the Shareholders of the Company and of the number of shares held by each of them on the first days of the months of May and November, in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year, with the Registrar of Deeds of the County or District where the principal works of the Company are situated in this Province; such certificate to contain the name of the Shareholders and the number of shares held by them respectively, on the first day of the month on which such certificate is filed; and it shall not be necessary to file any other certificate of transfer or copy thereof.

8. The meetings of the Company shall be held at such time and place in this Province as the Directors may appoint; and the Company, through their Directors or otherwise, shall appoint a recognized manager or agent, resident in this Province, service on whom of all process, notices, and other documents, shall be held to be sufficient service on the Company; and the name and address of such agent shall be filed with the Registrar of Deeds for the County of Halifax and Victoria, and for the County or District where the principal works of the Company are situated in this Province. In default of such appointment or in case of the absence or death of such agent, process, notices, and other documents may be served on any officer or employee of the Company, or for want of such officer or employee may be posted on some principal building of the Company, and such service or posting shall be deemed a sufficient service on the Company.

9. Whenever it shall be necessary for the construction of any road, railway or tramway or for the construction of any wharves, piers, or docks contemplated by this Act, that the Company should be invested with the lands over which the same shall pass or contigu-

ous thereto, and no agreement can be made for the purchase thereof, it shall be lawful for the Directors to apply by petition with a plan annexed, to any one of the Judges of the Supreme Court, setting forth the nature and situation of the lands required, the names of the owners and occupiers thereof, and praying a conveyance of the same to the Company; whereupon such Judge being satisfied that the lands are required and are not more extensive than may be reasonably necessary, shall appoint a time and place for the consideration of such petition, and shall direct a proper notice in writing to be served upon the owners or occupiers of the lands if within the Province; and to be published for the period of one month in at least two newspapers published in Halifax, and also in one newspaper in the County where the lands lie, if a newspaper be published in such County, requiring them to attend either personally or by attorney at such time and place; and the Judge shall require the Directors to nominate one Appraiser, and the owners to appoint another Appraiser, and the Judge shall appoint a third Appraiser, but in case such owners shall not attend, or shall neglect or refuse or cannot agree to make such nomination, the Judge shall on proof of such publication or service of such notice, nominate two Appraisers, and shall by an order in writing direct such three Appraisers to value the lands so required, and the Appraisers having first subscribed an affidavit in writing to be sworn to before a Justice of the Peace and annexed to such order, to the effect that they will faithfully make such appraisements, shall with all convenient speed proceed to and appraise such lands, and shall make such appraisement in writing, and return it under the hands of the Appraisers, or a majority of them, with such order and affidavit to a Judge of the Supreme Court, who may confirm, modify, alter or reject such appraisement or direct an appraisement *de novo*, and the Company upon paying or tendering the amount of the appraised value, as finally confirmed, and the expenses of the owners on such appraisement to the owners, or in case of dispute to such parties as the Court or a Judge shall direct, and registering such order, affidavit, appraisement, and confirmation in the office of the Registrar of Deeds for the county or district where such lands lie, who is hereby required to register the same, shall be considered the owners of such land.

10. It shall be lawful for the Company to make and construct railways, roads or tramroads over, under or across any river, brook or stream, and over and across any railroad, tramroad or road, subject nevertheless in such cases, to regulations to be made by the Court of Sessions to ensure the safety of the inhabitants and their property.

11. The books and accounts of the Company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

12. This Act shall cease and determine if effective works shall not be commenced and continued under it within three years from the date of its passing.



