



SIXTH
ANNUAL REPORT
OF THE
DIRECTORS
OF THE
ELGIN ASSOCIATION.

PRESENTED AT THE ANNUAL MEETING, HELD ON THE FIFTH
DAY OF SEPTEMBER, 1855.

TORONTO:
PRINTED AT THE GLOBE BOOK AND JOB OFFICE.

1855

OFFICERS

ELECTED FOR THE YEAR COMMENCING 5th SEPT., 1855.

PRESIDENT:

JOHN FISHER, ESQ.

VICE-PRESIDENTS:

REV. MICHAEL WILLIS, D. D.
" ROBERT BURNS, D.D.

TREASURER:

JAMES SCOTT HOWARD, ESQ.

SECRETARY:

NATHAN GATCHELL, ESQ.

DIRECTORS:

REV. WILLIAM KING.
" WILLIAM REID.
" WILLIAM ORMISTON.
MESSRS. CHARLES BERCY.
" PETER BROWN.
" A. T. McCORD.
" PETER FREELAND.
" JOHN LAIDLAW.
" JAMES SHAW.
" THOMAS HENNING.
" JOHN SHAW.
" P. L. BOX.

MESSRS. R. H. BRETT.
" WM. R. ABBOTT.
" JAMES OSBORNE.
" WILLIAM MILLER.
" CHARLES ALLEN.
" JOHN BIRRELL.
" A. D. FERRIER.
" DONALD McCOLL.
" ARCH. McKELLAR.
" E. C. CAMPBELL.
" J. B. OSBORNE.
" A. B. JONES.

SIXTH ANNUAL REPORT.

IN presenting the Sixth Annual Report to the Stockholders of the Elgin Association, the Directors would acknowledge the goodness of God in continuing to give health and prosperity to the settlement at Buxton; and would return thanks for the measure of success which has already attended their efforts in improving the social and moral condition of those who have settled on the lands of the Association.

Another year has passed, and with it the experience of the steady and persevering effort of the coloured population to improve their social position when placed in favourable circumstances. The past year has been one of a trying character. Cast wholly upon their own resources for their temporal support, with a short crop the preceding year, and the price of provisions nearly double what it formerly was, notwithstanding these disadvantages, they have maintained a steady persevering effort to clear and improve their farms; and have manifested a more fixed determination to raise from the soil what will support themselves and their families, without going abroad to work, a part of the year, for money to purchase the necessaries and comforts of life. The pressure, instead of discouraging, has stimulated to greater exertions; and the result has been, that nearly all the settlers have made a steady advance in clearing and cropping. In wheat alone, the quantity sown this year is double what it was in any other year that is past; and as the statistics will show, there has also been made considerable progress in clearing and improving. The quantity of land clear and under fence is 827 acres, besides 216 acres that have been chopped down, and will be ready to put into fall and spring crops. Of the land cleared, 180 acres have been sown with wheat; 340, with corn; 50, with

potatoes ; 40, with oats ; and 200, with hay, buckwheat, and turnips. Besides these crops there is a considerable quantity of tobacco—the leaf of which is said, by competent judges, to be equal in quality to any raised in Virginia and Kentucky. We have not been able to bring samples either of the tobacco or sweet potatoes, as they were not in that state of forwardness to bear packing and transportation. The wheat, samples of which we have brought, has been a very fair crop.

During the past year little has been done in raising stock. It has been found that sheep and horses cannot be raised with much profit till there is more open land, and more hay to support them during the winter. The number of cows in the settlement is 140 ; of oxen, 50 ; of horses, 40 ; of sheep, 38 ; and of hogs, 600. As we mentioned in the last report, the hogs are easily kept, from the abundance of acorns, and the beech and hickory nuts which they get in the woods. It would be desirable that more sheep could be raised, both for their wool and the flesh. Many of the settlers can spin, and make the wool into cloth, much cheaper, and better for family use, than any that they can get to buy. The Committee at Chatham offered a premium for the best piece of cloth made from the wool of sheep raised on their own farms ; but no samples have been brought in this year for exhibition, as the quantity of wool raised in the settlement has been so small, that it has been mixed with cotton to make linsey, which is nearly as warm and as durable as woollen cloth. A considerable quantity of that sort of cloth has been manufactured this season in the settlement for domestic purposes. The Committee, in going through the settlement, on their annual visitation, were much pleased to find that a considerable number of the females were engaged in knitting, spinning, and weaving, with the view of getting comfortable clothing ready for their families against the winter ; while the men and boys were busy with the crops in the field. In conversation with some of these, one female told the Committee, that from the small beginning of one shilling, she had, in two months, by her own industry, made enough to supply her husband and six children with comfortable

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stockings during the winter. She bought with the shilling as much wool as made one pair of stockings, which she spun and knit, and then sold that pair for as much as purchased wool for three pairs more. This she spun and knit in the same manner. And thus she went on increasing the value of the raw material by her own labour, until she had saved enough to provide herself and family with stockings during the winter. She was engaged in this work when the Committee called. To them it was a more pleasing sight than a box of ready-made clothing from the United States for gratuitous distribution. The former produces a noble character of industry and self-support, while the latter creates indolence and dependence on the bounty of another. It has been a rule in this settlement, that no clothing nor provisions of any kind should be received. Although many landed here stripped of everything but life, they were only placed in a way to support themselves, and told that their own right arm must do the rest. There is no settler at Buxton that ever thinks of looking any where but to his own industry, and the soil on which he is placed, for his support; and, with the blessing of God, on his industry, he has been able, thus far, to support himself. In a few years, when his home is purchased, and he living on it in independence, the pleasure which he will then enjoy will be heightened by the reflection, that he is not dependent on another for his position; but that his own industry has obtained it. It is quite natural for a man, if you feed and clothe him, and tell him, that he cannot support himself, to come after awhile to believe it, and he will cease to exert himself.

The improvement in the buildings has not made the same progress this year as last. Several buildings after the model, have gone up, and some above the model, but none of them have been finished for want of lumber. That difficulty will now be obviated. Since last year, a good saw and grist mill has been erected. The saw commenced cutting lumber in July last; and now supplies abundance for the settlement. During the winter, in anticipation of the mill, many of the settlers put in logs enough to pay for all the lumber that they will require; and many more are

preparing to do the same next winter ; so that during the next year there is a prospect of having more houses finished than during any one year since the settlement commenced.

A call from many of the stockholders and friends at a distance, to get a definite plan of the settlement, has induced the acting Committee to get it lithographed, that it might accompany the annual report, and give the stockholders a view of the manner in which the operations of the settlement are conducted.

The number of persons now in the settlement exceed 800. Some of these are settled on improved farms in the neighbourhood. One hundred and fifty children have been going to school during the last year ; and some of them, especially those going to the mission school, have made considerable progress in the higher branches of education.

The health and morality of the settlement continue good. Most of the adults attend some place of worship ; and 130 children have been enrolled, during the past year, in the Sabbath Schools. Temperance still prevails. Nothing that intoxicates is either made or sold in the settlement. The Sabbath is generally observed as a day of rest. Peace and harmony reign throughout the settlement.

The following is the financial statement of the affairs of the Association :—The present liabilities of the Association amount to £2944 19s. 2d., that is, to Government for land and interest, £2211 3s. 6d.; Stockholders, for instalments and interest, 733 15s. 8d. The assets amount to £3539 12s. 10d., that is, for land sold and interest thereon, £3352 2s. 10d.; land unsold, £187 10s.; leaving a balance of assets, to meet the current or ordinary expenses of the Association, of £594 13s. 8d.

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ELGIN ASSOCIATION.

Abstract of Treasurer's Account from commencement to 31st July 1855.

RECEIPTS.

Stockholders—Instalments on Shares,.....	£ 539 16 0
Purchasers of Land in Payment,.....	1204 10 11
Interest on do.	80 15 6
Transfer Fees,.....	3 3 9
	£1828 6 2

PAYMENTS.

Crown Land Department for Land and Interest,.....	£1492 12 3
Contingent Expenses, viz—Printing, Advertising, Postage, Stationery, Blank Deeds, Premiums to settlers, &c.,.....	189 7 11
Survey and Division of Land.....	13 10 0
Secretary's Salary,.....	142 10 0
Balance in Treasurer's hands.....	0 6 0
	£1828 6 2

N. GATCHELL, Sec., E. A.

Correct.

JOHN L. EBBELS, }
SAMUEL SPREULL, } AUDITORS.

Toronto 3rd August, 1855.

CASH.

1855.		Dr	
July 31.—	To Balance in Treasurers hands last year,	£ 91	4 8
	" Instalments on Land, received this year,	112	0 11
	" Interest received this year,	22	8 11
	" Transfer Fees "	0	7 6
			<u>£26 2 0</u>

1955.		CONTRA.	Cr.
July 31.—	By paid on Account of Lands purchased from Govern- ment,	£126	5 0
	By " Interest do.	35	12 8
	" Expense account this year,	33	18 4
	" Secretary's Salary "	30	0 0
	" Balance of Cash in Treasurer's hands,	0	6 0
			<u>£226 2 0</u>

Correct. J. S. HOWARD, TREASURER, E. A.
 JOHN L. EBBELS, } AUDITORS.
 SAMUEL SPRUELL, }

Statement of Assets and Liabilities of the ELGIN ASSOCIATION, 1855.

Amount of Balances due by Purchasers of Lands,	£3352	2	10	
*Value of 300 Acres of Land unsold,	187	10	0	
				£3539 12 10
Amount due on 1st Purchase of Land,	£ 833	9	5	
6 years and 9 months Interest on the same,	337	11	8	
				£1171 1 1
Amount due on 2nd purchase of Land £819 0 0				
4 years and 6 months Interest on the same,	221	2	5	
				1040 2 5
				2311 3 6
Amount due Stockholders,	£551	0	0	
Interest on same to date,	182	15	8	
				733 15 8
				2944 19 2
Nett Balance,				£ 594 13 8
Amount paid Commissioner of Crown Lands the last year with interest,				161 17 8

*This Land has been engaged for the last 12 months; but as the Land is only given to actual settlers it is not marked as entered.

LIST OF STOCKHOLDERS.

No. Shares.	No. Shares.	No. Shares.	
ALBION MILLS.			
William Cook..... 2	James C. Brown..... 1	James McQueen..... 1	
AYR.			
Rev. Robert Lindsay. 1	Thomas Bell..... 1	Peter McLaren..... 1	
BROCKVILLE.			
Rev. John McMurray. 3	Gabriel H. Green... 1		
Adriel Sherwood.... 1	Benjamin Hunter.... 1	FINGAL.	
BELLEVILLE.			
Nichol Taylor..... 2	Edmund Harrison... 1	Robert Blackwood... 1	
Rufus Holden..... 2	Henry Harrison..... 1	G WILLIMBURY, WEST.	
Rev. W. Gregg..... 1	Jerry Johnson..... 1	Isaiah Irwin..... 1	
BEACHVILLE.			
William Hook..... 1	Zike Frazer..... 1	Donald G. McKay... 1	
BEAMSVILLE.			
J. B. Osborne..... 11	Enoch Roberts..... 1	GRAFTON.	
R. Morrow..... 1	Rev. And. Ferrier, D.D. 1	John Munro, Senr... 1	
BUXTON.			
Rev. W. King..... 5	George Brown..... 2	GALT.	
W. Fields..... 1	John Brown..... 1	Rev. John Bayne.... 1	
Green Due..... 1	John Scott..... 1	R. Ferrie (Doon Mills), 2	
Enos Johnston..... 1	A. C. Buck..... 1	James Cowan..... 1	
James Shry..... 1	CORNWALL.		
Jerome Boom..... 1	Rev. J. C. Quinn.... 1	Peter Cook..... 1	
William Spriggs.... 1	COLLINGWOOD.		
Anderson Stewart... 1	Charles Stuart..... 1	Adam Kerr..... 1	
BRAMPTON.			
Samuel Wallace..... 1	Rev. James Rogers... 2	A. H. Mowat..... 1	
John McCanless.... 1	George Boulter.... 1	Isaac Sours..... 1	
BYTOWN.			
Rev. Noble F. English 1	Matilda Boulter... 1	Morris C. Lutz..... 1	
CAVAN.			
Alexander Robertson. 1	Rev. R. Torrance.... 1	Samuel Graham.... 1	
Archibald Robertson. 1	John McLean..... 1	GUELPH.	
COLBORNE.			
Donald Robertson... 1	Alexander D. Ferrier. 2	Rev. R. Torrance.... 1	
COBOURG.			
R. Kingan..... 1	Henry W. Peterson... 1	John McLean..... 1	
Samuel Anthony.... 1	DUNDAS.		
Robert Hudspeth.... 1	William Dixon..... 1	James Thomas..... 1	
A. Jaffray..... 2	James McIntyre.... 2	HALDIMAND.	
CHINGUACOUSY.			
Thomas Wallace..... 1	James Hamilton.... 1	HAMILTON.	
Robert Smith..... 1	James Coleman.... 2	James Osborne.... 10	
CHATHAM.			
Rev. Angus McColl... 1	Thomas H. McKenzie. 1	Alexander Davidson. 1	
Archibald McKellar.. 2	R. S. Hunter..... 1	John Fisher..... 10	
John Gleen..... 1	Wm. Miller..... 1	Wm. P. McLaren.... 10	
EMBRÓ.			
	James Stock..... 1	Eneas Kennedy.... 10	
FERGUS.			
	Charles Allan.... 1	James Walker..... 1	
	EKFRID.	D. McLellan..... 1	
	William R. Sutherland 1	E. Cartright Thomas. 2	
	John Watt..... 1	Richd. P. Street... 2	
	George Jardine.... 1	Robert McKay..... 1	
	Robert Emond..... 1	James D. Mackay... 1	
	Alex. D. Fordyce, jr. 1	Adam Goldie..... 1	
		D. Buchanan..... 1	
		James Turner..... 1	
		Frisrane Bickle.... 1	
		R. W. Harris..... 1	
		A. Wood..... 1	
		Rev. Alexander Gale. 1	
		N. D. Fisher..... 2	

No. Shares.		No. Shares.		No. Shares.
	HOLLAND LANDING.		ORILLIA.	Charles Berczy..... 1
1	Douglas Laidlaw.....	1	Rev. John Gray.....	5 Andrew Hamilton... 1
	INGERSOLL.		PETERBORO.	Rev. John Jennings.. 1
1	R. H. Carroll.....	1	Rev. John Gilman... 1	J. G. Joseph..... 2
1	Rev. Robert Wallace..	1	Andrew Cathcart... 1	S. Connor, L.L.D.... 1
1	Daniel Carroll.....	1	William Hall..... 1	Whittemore Rutherford
1	Joseph Barker.....	1	Rev. M. Rogers..... 1	& Co..... 2
	KINGSTON.		Thomas G. Hazlitt... 1	R. H. Brett..... 1
1	Donald McKay.....	1	PICKERING.	Robert Maitland.... 1
1	John Miller.....	1	William Dunbar.... 1	George H. Cheney... 1
	LONDON.		SMITH.	William Langley.... 1
1	Charles Monsurrat... 1	1	James McEwen..... 1	Rev. William Rintoul. 1
1	John Birrell.....	1	James Harvey..... 1	J. S. Howard..... 1
1	John Michie.....	1	John Stothart..... 1	Allen McLean Howard 1
1	John Frazer.....		SALT FLEET.	Benjamin Torrance... 1
1	Samuel McBride.....	1	Rev. George Cheyne.. 1	Elizabeth Dunlop... 1
1	William Begg.....	1	Alexander Morrison.. 1	Oliver Mowat..... 1
1	H. Chisholm.....	1	SOUTHWOLD.	John Salt..... 1
1	Edmond Raymond.... 1	1	Alexander Steele.... 1	Robert Beekman.... 1
1	Henry Matthewson... 1		ST. CATHERINES.	John McNab..... 1
1	Thomas Craig.....	1	Rev. Robert F. Burns. 1	James Shaw..... 1
1	Thomas C. Dixon.... 1	1	Bernard Foley..... 1	David Hollins..... 1
1	William Hall.....	1	Henry Gray.....	Adolpus Judah..... 1
1	B. A. Mitchell.....	1	John Creamer..... 1	Thomas Tilley..... 1
2	G. M. Gunn.....	2	Alfred Triplett.... 1	James Johnson..... 1
1	Lionel Ridout.....	1	TRAFALGAR.	Thomas Williams.... 1
1	John Diamond.....	1	John Proudfoot.... 2	Daniel Davis..... 1
1	William Clarke.....	1	James Applebe..... 1	George Brown..... 2
1	A. B. Jones.....		TORONTO.	John Herrard..... 2
1	Titus Basfield.....	1	Walter Macfarlane.. 1	N. Gatchell..... 1
1	John Reives.....	1	John Laidlaw..... 1	Rev. William Reid... 1
1	Alexander Hamilton.. 1	1	Rev. Dr. Willis..... 3	Rev. W. Ormiston... 1
1	Aureli Jones.....	1	Alexander McGlashan. 1	WATERDOWN.
1	Aaron Gibbs.....	1	Rev. Dr. Burns..... 2	Thomas Stock..... 1
1	Margery Wilkinson... 1	1	Peter Brown..... 1	Henry F. Graham.... 1
	NELSON.		George Brown..... 1	Read Baker..... 1
1	Gilbert Bastedo.... 1	1	Thomas Henning.... 1	WELLINGTON SQUARE.
	NIAGARA.		Peter Freeland..... 1	Rev. Alex. McLaren.. 1
1	Edward C. Campbell.. 1	1	Mrs. Freeland..... 1	WOODSTOCK.
1	Mrs. James Monroe... 1	1	Thomas J. Fuller.... 1	Rev. William L. Ball. 1
1	John Davidson.....	1	Betley & Kay..... 1	John Douglas..... 1
2	James Lewis.....	2	James Leask..... 1	John Carter..... 1
1	Hope Bullet.....	1	P. L. Box..... 1	Andrew Smith..... 1
3	Francis Lacey.....	3	John Thom..... 2	ZORRA.
	OAKVILLE.		W. R. Abbott..... 5	Rev. Donald McKenzie 1
1	William Cantley.... 1	1	A. T. McCord..... 1	John M. Ross..... 1
1	James Arnott.....	1		

CONSTITUTION.

[ADOPTED 7TH JUNE 1850.]

WHEREAS, the stock for the settlement and social and religious improvement of the coloured population of Canada, in the Township of Raleigh, in accordance with the Resolution passed at a Public Meeting held in Toronto, the 16th of March, 1849, having been subscribed :—

Resolved I. That we the Stockholders, do now form ourselves into a society, under the name and title of the "ELGIN ASSOCIATION" for the settlement and moral improvement of the Coloured population in Canada.

II. That the management of this Institution shall be vested in a President, and two Vice-Presidents, Treasurer, Secretary, and a board of 24 Directors, to be chosen Annually at a Meeting of the Stockholders—Five of whom shall be a quorum for the transaction of business. The President, Vice Presidents, and Treasurer, being also members *ex-officio*.

III. That all the real estate of the Society, for the present, shall be vested in three Trustees to be held temporarily in trust for the purposes of the Society, and to be by them conveyed in trust hereafter, in such manner as may be provided by the Act of Parliament or other Act of Incorporation.

IV. That all meetings of the Board, the President shall preside ; or, in his absence, one of the Vice-Presidents ; or in their absence, the Treasurer ; or in his absence, such member as shall be voted for that purpose. The first meeting of the Board to be held in Toronto, on the 21st June, 1849.

V. That the duties of the Board shall be as follows :—

1. To carry into effect the objects contemplated by the Society, by purchasing from the Government a tract of the Clergy Reserve land, in the Township of Raleigh, in the Western District of Canada.

2. Sub-divide and sell the land to actual settlers, on such terms as the Board may consider for the interest of the Purchasers and Stockholders.

3. To employ all subordinate persons, and officers necessary for the successful working of the Association, and in general, to manage the whole affairs of the Association ; subject to the control of the General Meeting of the Stockholders.

4. To make all By-laws and Regulations necessary for the detailed management of the Society's affairs ; such By-laws and Regulations to be submitted to the Stockholders at the Annual Meeting, and to be subject to alterations and revision at that meeting, if deemed necessary.

5. To keep a record of all their proceedings, signed by the Secretary, and countersigned by the Chairman.

6. To submit, at the annual meeting of the Stockholders, a full and detailed statement of the Society's affairs for the previous year ; and to close the concerns of the Company as soon as practicable.

VI. That no alteration be made in this Constitution except at the annual meeting, or a meeting of the Stockholders called together by the Board at their discretion, or by them upon the requisition of ten Stockholders for that purpose provided ; and that notice of such meeting be given to the Stockholders by circular, stating the object of such meeting, one month previous to the day thereof.

BY-LAWS.

1. That whenever a quorum of the Directors, with the consent of the President and Vice-Presidents, or a majority of them, and not otherwise, shall see fit to call a meeting they are authorized to do so

2. That the Directors are hereby authorized, with the consent and approval of the President and Vice-Presidents, or a majority of them and not otherwise, to appoint a Committee of Advice to meet in the township of Raleigh. The said Committee to be three in number, and to be Directors of the Association, who shall advise and consult with the Agent of the Association, who shall reside and manage the business of the Association in Raleigh, or should any case of difficulty arise in the said township of Raleigh, the same shall be communicated to the President, or in his absence to the Vice-Presidents, for advice and direction in such matters. Both the Committee and the Agent to be subject to the Main Board of Directors, and give Reports to the Annual Meeting.

3. That all moneys due to this Society shall be paid to the Treasurer, and his receipts for the same shall be in all cases a sufficient discharge

4. That no money be paid by the Treasurer of this Association, without an order for the same, signed by the President or one of the Vice-Presidents, and countersigned by the Secretary, and certified by him to have been duly entered on the records of the Association.

5. In order that the members of the Association may have due notice of the Annual Election of Officers, &c., it is resolved that circular notices be posted to each of the Stockholders at least fourteen days before the first day of September, each year; and that not less than seven Stockholders shall be present before the Annual Meeting or any General Meeting proceeds to business.

AN ACT

To Incorporate the Elgin Association, for the Settlement and Moral Improvement of the Coloured Population of Canada.

10th August, 1850.

Whereas an Association has been formed in Upper Canada, by divers persons resident therein, under the name of the ELGIN ASSOCIATION, for the settlement and moral improvement of the Coloured Population of Canada, for the purpose of purchasing Crown or Clergy Reserve Lands in the Township of Raleigh, in the county of Kent, and settling the same with colored families resident in Canada of approved moral character; and whereas the persons hereinafter named, office-bearers and members of the said Association, and acting on behalf of the members thereof, have by Petition prayed to be incorporated for the purpose aforesaid; And whereas it is expedient to grant the prayer of the said Petitioners, subject to the provisions and enactments hereinafter made: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice of the Legislative Council and of the Legislative

Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intitled, 'An Act to reunite the Provinces of Upper and Lower Canada, and for the Government of Canada,' and it is hereby enacted by the authority of the same. That Skeffington Connor, Michael Willis, William King, Charles Berczy, John Thomas Matthews, John Scott Howard, Walter Macfarlane, Ezekiel F. Whittemore, Andrew T. McCord, Peter Freeland, John Ewart, John Laidlaw, James Brown, Andrew Hamilton, Peter Brown, James Osborn, Edward Cartwright Thomas, John Fisher, William P. McLaren, William Miller, George Davidson, John McLean, A. D. Ferrier, John Frazer, John Michie, A. B. Jones, Donald McCaul, Archibald McKellar, Thomas Campbell, Henry Garrett, Bernard Foley, Andrew Shaw, J. B. Osborne, James Dougall, Robert Watson, Rufus Holden, James Harvey, and Andrew Jaffray, with all other such persons as are now, or being duly competent may hereafter be associated for the purpose hereinbefore mentioned, and their successors forever, shall be one body politic and corporate in deed and by name, by the name and style of THE ELGIN ASSOCIATION and shall by that name have perpetual succession and a common seal and shall have power from time to time to alter, renew or change such common seal at their pleasure, and shall by the same name from time to time and at all times hereafter be able and capable of contracting and being contracted with, of suing and being sued, pleading and being impeaded, and answering and being answered unto in all Courts and places whatsoever, and also that they and their successors by the same name from time to time and at all times hereafter shall be able and capable of purchasing and holding to them and their successors Crown and Clergy Lands in the Township of Raleigh in the County of Kent, not exceeding nine thousand acres, to and for the use of the said Company, and of letting, conveying and of otherwise disposing of the same to Coloured persons of Canada: provided always nevertheless, that the real estate to be held by the said Company shall be only such as shall be required to be held by them for the purpose aforesaid, and that nothing herein contained shall extend to authorize the said Association to become a Land Company in that sense of the term.

II. And be it enacted, That in all and every suit or suits in Law which hereafter may be instituted against the said Corporation, service of Process at the residence of the President or Secretary, shall be sufficient to compel the said Corporation to appear and plead to such suit or suits; any law, custom or usage to the contrary in any wise notwithstanding.

III. And be it enacted, That the property, affairs, concerns of the said Corporation shall be managed and conducted by the following officers, elected by the members of the said Corporation, at the annual meeting hereinafter provided for, a President, first and second Vice-Presidents, a Secretary, Treasurer, and twenty-four Directors, five of whom shall form a quorum for the transaction of business; the President, Vice-Presidents, and Treasurer being also Directors ex-officio.

IV. And be it enacted, That the annual meeting for the election of said Officers shall be held at Toronto, where the usual meetings of said Corporation are held on the first Wednesday in September, in each and every year, at the hour of twelve o'clock; and the said election shall be held and made by such of the Stockholders of the said Corporation as shall attend for that purpose in their own proper persons, or by proxy, and all the elections for such Officers shall be by ballot: and if any vacancy or vacancies shall at any time happen among the Directors by death, resignation, or removal from the

Province, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen, by a person or persons to be nominated by the Directors at any of their regular meetings.

V. And be it enacted, That each Stockholder shall be entitled to a number of votes in proportion to the number of shares which he or she shall have in his own or her own name, and shall have had at least twenty days previous to the time of voting, according to the following rules, that is to say : One vote for each share to the extent only of two shares, and one vote for every two shares above two.

VI. And be it enacted, That in case it should at any time happen that an election of officers should not be made on any day when pursuant to this Act it ought to have been, the said Corporation shall not for that cause be deemed to be dissolved, but it shall and may be lawful on any day to hold and make an election of officers in such a manner as shall be regulated by the By-laws and Ordinances of the said Corporation.

VII. And be it enacted, That until the first election of officers shall take place as hereinbefore provided, the present officers of the said Association shall be and continue to be the officers of the Corporation hereby created, and that the President, or in his absence from the city of Toronto, either of the Vice-Presidents of the said Corporation shall within one month after the passing of this Act, cause notice to be given to the members of the said Corporation by public advertisement, to be published ten days at least previous in four newspapers published in different parts of the Province, to meet at the place in which the usual meeting of the Corporation are held at such time as he shall in and by such notice appoint, and the said members or the major part of them as shall be then present, shall, at the time so appointed, proceed to the election of a President, a First Vice-President, a Second Vice-President, a Secretary, a Treasurer, and twenty-four Directors ; which said officers from the time of their election to their respective offices, shall continue therein till the first Wednesday in June then next ensuing, and from thenceforth until others be chosen in their place, and the new officers shall enter on the duties of their office the first Monday after their election.

VIII. And whereas the sum of four thousand pounds currency, or thereabouts has been subscribed by the members of the said Association as the Capital Stock of the same, in Shares of ten pounds each, and whereas it may be necessary to increase the said stock, by the additional sum of one thousand pounds : Be it therefore enacted, That the said shares so subscribed as aforesaid, shall continue the Capital Stock of the said Corporation, with power to the said Corporation, to increase the same by one thousand pounds in like shares of ten pounds each, if they shall think it necessary for carrying out the purposes of the said Corporation and that the aforesaid Capital Stock may, after twenty per cent. has been paid thereon, be transferrable by the respective persons subscribing and holding the same, to any other person or persons, and such transfer shall be entered and registered in a book or books to be for that purpose by the said Corporation.

IX. And be it enacted, That immediately after the passing of this Act it shall and may be lawful for the Directors to call upon the Stockholders of the said Corporation, by giving sixty days' notice thereof in four newspapers published one in London, one in Hamilton, one in Toronto, and one in Kingston, for an instalment of twenty per centum upon each share, which they or any of them may respectively have subscribed for in the Association aforesaid, and that the residue of the sums or shares of the Stockholders shall

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be payable upon the first day of July, one thousand eight hundred and fifty-one, until the whole sum or such part of the whole sum as the Directors shall deem necessary for carrying out the objects of the Association, shall be paid: Provided always, that the payment upon shares heretofore made by any of the Shareholders aforesaid, shall be credited by the Directors, on the call of twenty per cent. so as to be made as aforesaid.

X. And be it enacted, That if any Stockholder or Stockholders as aforesaid shall neglect to pay at the time required any instalment or instalments which shall be lawfully required by the Directors as due upon any share or shares, such Stockholder or Stockholders so refusing or neglecting shall forfeit such share or shares as aforesaid with any amount which shall have been previously paid thereon, and the said share or shares may be sold by the said Directors, and the sum arising therefrom, together with the amount previously paid thereon, shall be accounted for and applied in like manner as other moneys of the said Company: Provided always, that the purchaser or purchasers shall pay the said Company the amount of the instalment required over and above the purchase money of the share or shares so purchased by him, her, or them as aforesaid, immediately after the sale, and before they shall be entitled to the certificate of the transfer of such shares purchased as aforesaid: Provided always, that fifteen days' notice of the sale of such forfeited shares shall be given in any newspaper or newspapers published in the City of Toronto, and that the instalments due may be received in redemption of any such forfeited shares at any time before the day appointed for the sale thereof: Provided also, that the shareholders may at their next general meeting, after any forfeiture, restore any forfeiture, or a portion of any forfeiture, by a resolution in writing, to be passed at such meeting, and not at any other time or in any other manner.

XI. And be it enacted, That the several persons who have subscribed any money towards the Association, or their personal representatives respectively, shall pay the sums respectively so subscribed or such portions thereof as shall be from time to time called for by the Directors; and with respect to the provisions in this Act contained for enforcing the payment of calls or instalments; the word Stockholder shall extend to and include any person who holds stock in the said Corporation, or who may have subscribed the original prospectus of the Association or agreement to take stock therein, and shall also extend to and include the legal personal representative of such Stockholder or person aforesaid.

XII. And be it enacted, That if any default shall be made by any Stockholder in the payment of any call at the time appointed by the Directors for the payment thereof, then it shall be lawful for the Company to sue such stockholders for the amount of such call, in any Court of Law in this Province (having competent jurisdiction in regard to the amount to be recovered) and to recover the same with lawful interest, and if the Company shall see any Stockholder under the authority of this Act, such suit shall not in any way interfere with the forfeiture of the share or shares of such Stockholders.

XIII. And be it enacted, that on the trial or hearing of 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 undertaking (and when there has been no transfer of the shares, then the proof of the subscription to the original agreement to take stock shall be sufficient evidence of holding stock to the amount subscribed) and that such call was in fact made, and such notice thereof given as required, and it shall not be

necessary for the Association 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 on each call, with interest thereon.

XIV. And be it enacted, That when calls shall be made by the Directors, all such calls shall be taken and meant to be payable to the Treasurer of the Association for the time being.

XV. And be it enacted, That in any action or suit brought by, against the Association upon any contract or for any matter or thing whatsoever, any Stockholder shall be competent as witness, and his testimony shall not be deemed inadmissible on account of interest.

XVI. And be it enacted, That the Directors for the time being, or a quorum of them, shall have power to make and subscribe all such rules and regulations touching the purchase, management and disposition of lands, properties, estate and effects of the said Association, and the settlement and improvement of the said lands, and so touching the duties of the officers and servants of the said Corporation, and also such other matters or things as appertain to the business of the said Corporation, and also shall have power to appoint as many officers and servants for carrying on the business of the said Corporation, with such salaries as they shall think fit; Provided always, that the price fixed by the said Directors for the lands of the said Corporation shall not exceed the prices paid the Government, to any greater amount than is sufficient for the expenses of the said Corporation for any of the purposes hereinbefore mentioned, and six per cent interest per annum upon the stock subscribed; Provided also, that if upon the final winding up of the affairs of the Corporation as hereinafter provided, any surplus should be found remaining after paying off the shares subscribed for and six per cent. interest, such surplus shall be applied in the improvement of the said settlement in such manner as the Directors shall appoint.

XVII. And be it enacted, That whenever and so soon as all the land so purchased by the said Corporation, shall be settled and paid for to the said Corporation, the affairs of the said Corporation shall be wound up, and the stockholders thereof shall receive the amount of their shares or of such instalments as shall have been actually paid thereon; together with six per cent. interest; Provided always that nothing herein contained shall be held to prevent the Directors at any time or times after the Government price of the said lands shall be paid in full by the said Corporation, and all the existing debts and liabilities thereof fully discharged, to re pay to the stockholders, rateably, any proportion of the stock actually paid up, and interest, that the Directors shall deem expedient, without waiting for the final winding-up of the affairs of the said Corporation.

XVIII. And be it enacted, That it shall and may be lawful for the Governor or person administering the Government of the Province for the time being to require from the said Corporation true statements under oath, (which oath any Justice of Peace is hereby authorized to administer,) of the receipts and expenditure of the said Corporation, and a statement of the real and personal estate held and enjoyed by the said Corporation shall be laid before each branch of the Provincial Legislature, within fifteen days after the opening of each Session thereof.

XIX. And be it enacted, That the property real and personal now held by the Association hereby incorporated, or by any party in trust for them, shall be and is hereby vested in the said Corporation, which shall be responsible

for all debts and obligations of the said Association, and may recover and enforce all claims and obligations in favour thereof.

XX. And be it enacted, that no member of the said Corporation shall in his private or natural capacity be liable for any debt or obligation contracted by the said Corporation.

XXI. And be it enacted, that nothing in the present Act contained shall affect in any manner or way whatsoever the right of Her Majesty, Her Heirs and Successors, or of any person or persons of any kind, body politic or corporate, such only excepted as are hereinbefore mentioned.

XXII. And be it enacted, That this Act shall be held and considered to be a Public Act.