

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1836.* Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 65

**An Act to incorporate The Restook Upper Mill Company. Passed 16th March 1836.**

'Whereas extensive water powers are presented by the falls and various rapids on the river Restook [Aroostook], and the erection of mills thereon for the manufacture of lumber will be convenient to the country and advantageous to the commercial interests of the Province;'

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Samuel Frye, Harris Hatch, Nehemiah Marks, James Taylor, George F. S. Berton, John A. Beckwith, Francis E. Beckwith, Thomas Wyer, James Campbell, Moses Vernon, James Vernon and Thomas Jones, their associates, successors and assigns, be and they are hereby created and declared to be a body politic and corporate by the name of The Restook Upper Mill Company, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.

II. And be it enacted, That the first meeting of the said Corporation shall and may be held at Fredericton in the County of York, and shall and may be called by James Taylor, or in case of his death or neglect or refusal by any two of the said Company, by publishing notice thereof in the Royal Gazette or in some other newspaper published in Fredericton, at which or at any subsequent meeting to be for that purpose holden five directors (being members and stockholders of and in the said Corporation to such an extent as by the laws and regulations of the said Company may be provided) shall be chosen; which directors so chosen shall serve until the first annual meeting for the choice of directors and until other persons are elected in their room, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence the operations thereof, subject nevertheless to the laws and regulations which may from time to time be made by the said Corporation.

III. And be it enacted, That the capital stock of the said Company shall be fifty thousand pounds, and shall be divided into one thousand shares of twenty five pounds each, to be paid by the stockholders at such time or times and by such instalments from time to time as may be assessed and ordered by the said Company and the President and Directors thereof as hereinafter directed: Provided nevertheless, and it is hereby expressly required that fifteen per cent, of the said capital stock shall be paid in current money of this Province within three years after the passing of this Act; and provided that the said Corporation shall not be entitled to purchase any property, real or personal, or to incur any debts until the said fifteen per cent, of the capital stock of the said Company as aforesaid, being the sum of seven thousand five hundred pounds, be paid in.

IV. And be it enacted, That the said Corporation may and they are hereby authorised whenever the whole amount of the said capital or sum of fifty thousand pounds shall have been paid in and expended for the purposes contemplated by this Act, at any general meeting of the said

Corporation, from time to time to increase the said capital stock to any amount or amounts, (not to exceed in the whole the sum of one hundred thousand pounds,) by an assessment or assessments upon the shares in the capital stock of the said Company, to be made and ordered and paid in as hereinafter directed.

V. And be it enacted, That all the shares in the said Company shall be numbered in progressive order, beginning at number one, and every member of the said Company shall have a certificate under the seal of the said Corporation, and signed by the president and secretary thereof, certifying his property in such share as shall be expressed in the certificate.

VI. And be it enacted, That there shall be a general meeting of the shareholders and members of the said Corporation to be annually holden at Fredericton aforesaid, at such time as shall for that purpose be appointed by the bye laws and regulations of the said Corporation; at which annual meeting there shall be chosen of the said members five directors, being members and shareholders in the said Corporation to such an extent as may be provided and required in and by the bye laws and ordinances of the said Company, who shall continue in office for one year or until others are chosen in their room; which directors when chosen shall at their first meeting after their election choose out of their number a president.

VII. And be it enacted, That every person owning a share in the capital stock of the said Corporation shall be a member thereof and be entitled to vote at all meetings of the same, and members may give as many votes as they own shares, and that absent members may vote by proxy, such proxy being a shareholder and authorised in writing.

VIII. And be it enacted, That the president and directors of the said Corporation may from time to time assess upon each share such sum or sums of money as shall be judged by such Corporation necessary for raising a capital or for the increase thereof for the payment of any debts of the said Corporation, and for the purchase of such real and personal property, and the erecting, building, making, setting up and procuring such buildings, dams, mills, ships, boats, vessels, machinery and other things as may be deemed necessary and requisite for carrying on the business of the said Company: Provided always, that such assessment or assessments shall not in the whole exceed the amount of the capital stock appointed by this Act, or the increased amount thereof if the same shall be increased as hereinbefore directed.

IX. And be it enacted, That when any such assessment or assessments shall at any time or times be made or ordered, notice thereof shall be given by the secretary in the Royal Gazette, requiring payment at such time or times as may for that purpose be appointed; and if the proprietor of any share or shares shall neglect or refuse to pay to the treasurer the amount of any such assessment or assessments, or instalment thereof duly assessed or ordered as aforesaid, it shall be the duty of the treasurer to advertize such delinquent shares for sale at public auction, giving at least thirty days notice of the time and place of such sale in the Royal Gazette aforesaid, or some other newspaper published in Fredericton; and all shares upon which the said assessment or instalment thereof is not then paid shall be sold to the highest bidder, and such sale shall be a legal transfer of the share or shares so sold to the purchaser or purchasers, and shall be recorded accordingly by

the secretary, and such purchaser or purchasers shall be entitled to receive a certificate as prescribed in and by filth section of this Act.

X. Provided always and be it enacted, That unless fifteen per cent, of the said capital stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment signed and verified on oath by the said directors or a majority of them, which oath any Justice of the Peace is hereby authorised to administer, shall be filed in the office of the Secretary of the Province, before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.