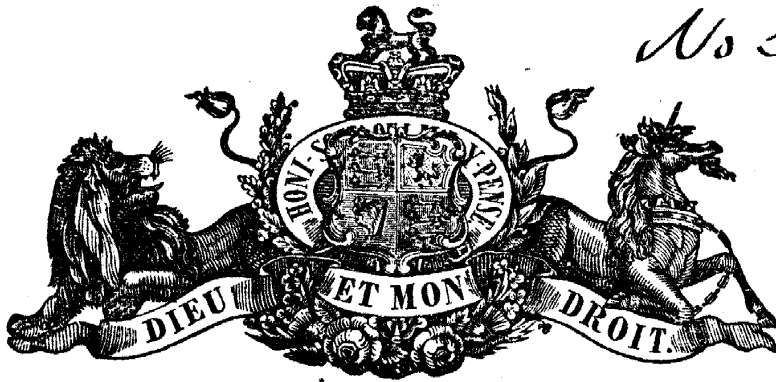


No. 408 of '87, S. 8.

No 557 of 92, S. 4



ANNO VICESIMO OCTAVO ET VICESIMO NONO

VICTORIÆ REGINÆ.

A.D. 1865.

No. 13.

*An Act for the Formation of Companies and Associations of Miners,
with power to limit their liabilities to the amount of Shares
subscribed for.*

[Assented to, 4th August, 1865.]

WHEREAS it is desirable to increase the facilities for carrying on the pursuit of Mining, by the formation of Joint Stock Companies for the carrying on of Mining, and to indefeasibly limit the liability of the Members of such Companies, and to facilitate the dissolution and winding up of such Companies—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. This Act shall apply only to companies and associations formed for the carrying on of mining or smelting. Act to apply only to company formed for mining, and smelting.
2. This Act may be cited as “The Miners’ Act, 1865.” Short title.
3. No company registered under this Act shall have or adopt any name or title which shall be so similar to the name or title of any other company registered under this or any other Act, as may be likely to cause such company to be confounded with such other company, and the Registrar of Joint Stock Companies shall decide any question arising out of this clause. No company to have a similar title to any other company.
4. Any five or more persons may form themselves into a company under this Act, and any two or more of such persons shall be termed Five or more persons may avail themselves of this Act.
the

Miners Act.—1865.

the promoters, and shall give at least fourteen days notice in the *Government Gazette*, of their intention to apply to be registered.

Promoters to publish a prospectus.

5. The promoters of every company shall publish a prospectus, to be signed by such promoters; and in such prospectus there shall be set forth *inter alia* the particulars mentioned in Schedule A.

Master of Supreme Court to be Registrar.

6. The Governor, with the advice and consent of the Executive Council, may appoint some person to be the Registrar of Joint Stock Companies, for the purposes of this Act, and until such appointment be made, the Master of the Supreme Court shall be such Registrar.

Preliminary expenses.

7. Unless it shall be otherwise provided in the prospectus, all expenses incurred by the promoters in respect of the formation and registration of any company shall be defrayed by the company.

Capital to be divided into shares of equal value.

8. The capital of the company shall be divided into shares of equal nominal value, and numbered consecutively from one upwards.

After one-third of the shares have been allotted, company may apply to be registered.

9. So soon as one-third at least of the number or values of shares into which the actual capital of the company shall be divided, according to the prospectus, have been subscribed for, and a deposit amounting to at least one-tenth part of the capital represented by the total number of shares has been actually paid, the company may apply to be registered under this Act, and such application shall be directed to the Registrar of Joint Stock Companies, and shall have a copy of the prospectus, signed by the promoters, annexed thereto.

Fee of One Pound.

10. A fee of One Pound shall be paid to the Registrar of Joint Stock Companies at the time of making such application.

Registrar to give certificate.

11. So soon as the Registrar of Joint Stock Companies shall have satisfied himself that the terms of the prospectus and of this Act have been complied with, he shall forthwith issue a certificate to that effect in the form of Schedule B, and shall be paid for such certificate the sum of One Pound; and such certificate shall be conclusive evidence that the terms of this Act and of the prospectus have been complied with.

List of shareholders to be given to Registrar at the time of making application.

12. At the time of making the application there shall be sent in to the Registrar of Joint Stock Companies a list, signed by the promoters, in form of Schedule C, of all persons to whom shares, whether paid up, or otherwise, have been allotted, specifying the amount paid on each share, and the amount remaining due in respect of each share; and such list shall constitute the first register of shareholders; and a copy of such list shall be retained by the company.

When certificate issued, company incorporated.

13. Upon the issue of such certificate by the Registrar of Joint Stock Companies the company and the then shareholders therein, and all succeeding shareholders, whilst shareholders, shall be deemed

to

Miners Act.—1865.

to be incorporated for the purposes of this Act, and for the purpose of carrying on the pursuit for which the company was formed, as set forth in the prospectus, but not further or otherwise, and shall continue incorporated until it shall be dissolved, and its affairs wound up: And it shall be lawful for such company—

First—To use the registered name of such company, adding thereto the words “ Limited by The Miners’ Act, 1865:”

Second—To have a common seal, with power to break, alter, and change the same from time to time, but on which must be engraved the name of such company:

Third—To purchase and hold, sell, let, or lease, with or without right of purchase, lands, tenements, and hereditaments, in the name of the company.

14. Within thirty days after the issue of the certificate, the directors, who shall be named in the prospectus, shall appoint some person as a manager of the affairs of the company, and such person shall be termed the “ Manager ” of the company; notice of the appointment of such manager shall be given to the Registrar of Joint Stock Companies.

A “ manager ” to be appointed.

15. All suits, by or against the company, except as hereinafter provided, shall be had in the name of the manager, but such manager shall incur no personal responsibility except for his own acts, deeds, and defaults.

Suits to be in the name of the manager.

16. The directors may, on due notice being given to the Registrar of Joint Stock Companies, remove any manager, and appoint another manager, and no proceeding by or against any company shall abate by reason of any such second or new appointment.

Fresh manager may be appointed.

17. All the property of the company shall be vested in the directors of the company for the time being, who shall hold the same by virtue of their office; and the signature of two directors and the manager to any deed, shall be sufficient for the due execution thereof.

Property to be vested in directors.

18. Every company registered under this Act shall have a place of business, which shall be notified in writing to the Registrar, and shall paint and affix, and keep painted and affixed, its name on the entrance of every office or place in which the business of the company is carried on, in a conspicuous position, in letters easily legible, and shall have its name engraven in legible characters on its seal, and shall have its name mentioned in legible characters in all notices, advertisements, and other official publications of the company, and in all bills of exchange, promissory notes, cheques, orders for money, bills of parcels, invoices, receipts, letters, and other writings, and shall on all occasions add to its name the word “ Limited ; ” and in the event of any of the provisions of this clause not being complied with, the manager and each of the directors shall

Company to have a registered place of business.

be

*Miners Act.—1865.***Penalty.**

be liable to a penalty of Five Pounds, and further, shall be personally liable to the holder of any such bill of exchange, promissory note, cheque, or order for money, for the amount thereof, unless the same shall be duly paid by the company.

Copy of prospectus and list of shareholders to be kept by manager in the registered office.

19. The manager shall keep open to public inspection in the registered office of the company a copy of the prospectus of the company and a list, in form of Schedule C, showing the names of the shareholders, the number and value of the shares held by each such shareholder, the amount paid on each share, and the amount remaining due on each share.

Manager exhibiting a false list, penalty of a misdemeanor.

20. If the manager shall wilfully exhibit a false list of shareholders or of the shares, or in such false list shall falsely make it appear that any person is liable to contribute in respect of any such shares any sum of money which such person shall not actually be liable to contribute, such manager shall be liable to a penalty not exceeding Two Hundred and Fifty Pounds, and also to be imprisoned, with or without hard labor, for any period not exceeding twelve calendar months.

Name of shareholder not to be inserted in list unless allottee or transferee.

21. No person's name shall be inserted in such list unless such person shall be the allottee or transferee of shares under the provisions of this Act; and no transfer of a share shall be deemed to be complete until notice thereof shall have been given to the Registrar of Joint Stock Companies, and noted by him, and any person transferring any share may give such notice to the said Registrar on payment of a fee of Two Shillings and Sixpence on each notice.

Shares to be allotted to applicants in writing only.

22. The shares of the company shall be allotted to applicants in writing only, and such applicants shall sign their applications, and such applicants shall, after the allotment of the shares and the registration of the company, be liable to pay all calls or sums due in respect of such shares according to the prospectus of such company.

Shares to be allotted.

23. The promoters shall, according to their discretion, allot the shares to the applicants as aforesaid, within three calendar months after the first application, and shall give notice in writing through the Post Office to the applicant to whom such shares shall be allotted; and it shall be at the discretion of the promoters whether such allotment shall be made on condition of payment of further deposit or not; and no share or allotment note shall be transferable until after the registration of the company shall have been completed in accordance with the terms of this Act.

Allotment notes not transferable until after registration.

Shares to be signed.

24. All certificates of shares in any company registered under this Act, shall be signed by two directors and the manager, or by three directors, until such manager shall be appointed.

Allottee of shares only to be registered in first list.

25. No person shall be entered as a shareholder in the first registered list of shareholders unless such person shall be the actual allottee

Miners Act. -1865.

allottee of such share, or obtain the same by signing form in Schedule D.

26. The promoters, or some or one of them, shall, within one calendar month after the first allotment of shares, call a general meeting of those persons only to whom shares shall have been allotted as aforesaid, at some convenient time and place, by advertisement in the *Government Gazette*, and at least one newspaper, published in Adelaide, such advertisement to be inserted at least one week before the day of meeting, and the following business only shall be transacted, namely, the election of a chairman to preside thereat, whose qualification shall be set forth in the directors' prospectus, and the election of three, five, or seven directors, to continue in office until new directors shall be appointed in accordance with this Act; and at every such meeting every person present to whom any share or shares shall have been allotted, and shall produce the notice of such allotment, and shall have paid all calls or sums of money due in accordance with the prospectus, shall on all subjects brought before the meeting be entitled to one vote in respect of each share so allotted, and all questions shall be decided by a majority of votes, and any such person shall be qualified to be a chairman at the meeting, and one of the first directors of the company and the chairman may adjourn such meeting from time to time, and if at any adjourned meeting the chairman of the former meeting shall not be present, then another chairman may be elected in the same manner as the first chairman, and such meeting shall have full power to alter, amend, and confirm the prospectus of the company: Provided that no such meeting shall be held until after the company shall have been duly registered.

The promoters to call meeting.

Proviso.

27. The qualification of the directors shall be decided by the shareholders at the first meeting held under clause 26 of this Act.

Qualification of directors.

28. The directors of each company shall, unless removed by a meeting of the company, continue in office for twelve calendar months, and at the first meeting which shall be held at or next after the expiration of such twelve calendar months, a majority of the directors shall go out of office, but may be re-elected, and the retiring directors shall be those who have been longest in office, or in the case of an equality in the term of office, the order of retirement shall be decided by ballot.

Tenure of office of directors.

29. Any director may retire at the expiration of fourteen days after giving notice in writing of such his intention to the manager, and any director availing himself of the provisions of any Act in force within the said Province relating to insolvent debtors, and any director absent from the meetings of the directors for three consecutive calendar months, shall thereby vacate his office.

Directors may retire.

30. When a vacancy shall occur in the office of director by any means whatever (except retirements by rotation), a special meeting shall

Vacancy in directors.

Miners Act.—1865.

shall within fourteen days be summoned for the election of a director to fill such vacancy, unless an ordinary meeting shall take place within thirty days.

Directors to deposit shares with bank.

31. Every director shall, within fourteen days of his election, deposit with the manager, who shall place and keep the same for safe custody in the bank of the company, the shares required to be held by such director as a qualification for his office, and such manager shall hold such shares as aforesaid so long as such director shall hold his office, and upon such director vacating his office shall return such shares to the person so depositing them.

Directors to keep seal of the company.

32. The directors shall have the custody of the seal of the company.

Quorum of directors.

33. Three directors, where the whole number does not exceed five, and four directors, where the whole number is seven, shall form a quorum, and shall exercise all authorities vested in the directors generally.

Majority of directors.

34. All questions which may come before a Board of Directors shall be decided by the majority of the directors present, each director, including the chairman having one vote; and in case of an equality of votes, the chairman shall also have a casting vote.

Minutes of directors' meetings.

35. Minutes of proceedings of every Board of Directors shall be entered in a book kept for that purpose, and shall be signed by the chairman at each meeting.

Powers of directors.

36. The directors of any company are authorized—

To employ all such officers, workmen, and servants as, in their judgment, may be necessary for carrying on the business of the company, and from time to time to dismiss the same, or any of them:

To provide suitable offices, and hire suitable buildings, land, and machinery, for the use of the company, and do all acts necessary and proper for that purpose, and to take or hold the same on lease or otherwise:

To direct the manager to make calls on the shareholders in accordance with the prospectus and this Act.

To institute, conduct, compromise, or abandon, as they deem expedient, any legal proceedings relative to the property or affairs of the company:

To submit to arbitration any matter of difference between the company and any other person or persons:

To compound for or abandon any debt owing to the company, or to give time for the payment thereof: To

Miners Act.—1865.

To make sale, let, or dispose of any of the lands or property of the company when duly authorized by any special meeting of the company:

To purchase ores as fluxes, or for amalgamation:

To do all such acts, matters, and things, as may be necessary for carrying on the business of the company in accordance with the prospectus and this Act.

37. Two auditors shall be elected annually, at the same time as the directors, and if any auditor shall die, retire, or become unable to act, the vacancy shall be filled up forthwith by a special meeting of the company, to be convened for that purpose; and until such vacancy be supplied the surviving or continuing auditor (if any), may execute the duties of this office. Auditors.

38. Full and regular accounts of all the company's property, transactions, and concerns, shall be duly kept and balanced half yearly: that is to say, in the months of January, and July, in each year; and the balance-sheet of each half-year shall be regularly delivered to the auditors, and, with the report thereon shall be produced at the next meeting of the company. Accounts.

39. When any judgment shall be given against the manager of such company as manager, such judgment shall be deemed to be a judgment against the company, and all the assets and property of the company shall (subject to the provisions of this Act) be liable in respect of such judgment. Judgment against manager to be deemed judgment against company.

40. The manager shall, in the month of January in each year, publish in the *Government Gazette* an annual balance-sheet, certified by the auditors, and showing the full amount of the assets and liabilities of the company. Manager to publish balance-sheet.

41. The manager may, whenever he shall deem it necessary, make calls upon the shareholders who have not paid up the full amount of their shares as he may deem desirable, but only in accordance with the terms of the prospectus. Calls may be made by manager.

42. No action shall lie against any shareholder in any company registered under this Act in respect of any debt due by such company, except at the suit of the manager, and then only for a sum not exceeding the balance due by such shareholder in respect of his shares. No action against shareholder except at suit of manager.

43. No shareholder in any company registered under this Act, shall be liable to contribute to the funds of any such company any larger sum than the difference between the amount of the capital represented by the shares held by such shareholder and the sums previously paid to the funds of the company in respect of such shares. Limitation of liability.

44. If

Miners Act.—1865.

Directors or manager
liable for certain
debts.

44. If the directors or manager, or any or either of them, shall contract any debt or enter into any liability on the behalf of any such company in excess of the sums of money in the hands or to the credit of such company, or of such directors or manager, they shall be jointly and severally personally liable for the amount of such debt or liability.

Two companies may
join.

45. Any two or more registered companies may amalgamate, in which case the prospectus may be amended at a special meeting of the company convened for that purpose, and registered in manner hereinafter provided for an amended prospectus.

Transfer of shares.

46. Shares shall be transferred by endorsement in writing, signed by the transferor and transferee, and attested by at least one witness, and no transfer shall be complete until notice of such transfer be given to and entered by the manager, who shall be paid the sum of Two Shillings and Sixpence for each transfer, nor until the manager shall have given notice to the Registrar of Joint Stock Companies of such transfer, and the manager is hereby required to give such notice within seven days, and to pay to the said Registrar the sum of Two Shillings and Sixpence for each transfer, and the said Registrar is hereby required forthwith to enter such transferee in the list of shareholders in the place of such transferor, and in the event of any company being unable to meet its engagements, and such transferee being unable to pay any sums that may be due to the company in respect of such shares, the transferor shall be liable to pay any sums during the period of one calendar month after such transfer being made by the manager and noted by the Registrar, and after the expiration of the said period of one calendar month the liability of any such transferor in respect of any such shares shall entirely cease.

Forfeiture of shares.

47. In case any shareholder shall refuse or neglect to pay any instalment or call due in respect of his or her shares, with the interest at twelve and a-half per cent. per annum payable thereon, and shall continue in such default for space of three calendar months after the day appointed for payment of such instalment or call, it shall be lawful for the directors to declare any share in respect of which such instalment, call, or interest, or any part thereof shall then be unpaid, to be forfeited, and the same shall be forfeited accordingly, and such forfeiture may be waived by the directors at any time within three calendar months from the date of the forfeiture, and notwithstanding such forfeiture, the directors may sue for and compel the payment of any such instalment, call, or interest, or all of them.

Forfeited shares, how
disposed of.

48. It shall be lawful for the directors either to retain and keep on foot, or cancel and extinguish, or to sell for the benefit of the company any share forfeited to the company, and by deed executed by any two directors and the manager to transfer any share so sold to the purchaser thereof.

Miners Act.—1865.

49. It shall be sufficient notice to any shareholder if the same be left for him or transmitted through the post office, prepaid and addressed to him at the address appearing in the register of shareholders, and it shall be sufficient notice to any company if the same shall be left for such company at the registered office of such company, provided the prospectus of the company does not contain some other special form of notice in one or more of the public newspapers of the said Province.

Service of notice on shareholder and company.

50. The ordinary general meetings of the company shall be held at least twice in each year, in the months of January and July, and at such time and place as the directors may appoint.

Ordinary meetings.

51. Seven days' notice at the least, specifying the time and place of meeting, and the purpose for which such meeting is to be held, shall be given by notice in two newspapers at least, published in Adelaide; and no business shall be transacted at any meeting, other than that mentioned in such notice.

Notice of business to be given.

52. At every meeting of the company the chairman of the directors shall take the chair, but if he shall be absent or unwilling to act, then any other director who may be present and willing; and if there shall be no director present and willing, then a shareholder shall be elected by the meeting, and shall thereupon take the chair.

Chairman of directors to preside at meeting

53. Correct minutes of all the proceedings of every meeting shall be entered in a book to be kept for that purpose, and shall be signed by the chairman of the meeting.

Minutes of all meetings to be kept.

54. A special meeting shall be held whenever the directors shall so resolve; and also whenever one-tenth of the total number of the registered shareholders, such tenth not being less than five, and holding in the aggregate one-fourth or more of the total number of the shares, shall give to the manager a written requisition to that effect, on such day, and at such hour, and convenient place as the directors may think fit; and such meeting shall be held within fourteen days of the receipt of such requisition, and the same notice shall be given, as in the case of ordinary meetings, and if the directors shall fail to call or hold such meeting, then the shareholders may convene such meeting in manner aforesaid.

Special meetings.

55. Any general or special meeting may be adjourned either by resolution of the meeting, or, in default thereof or subject thereto, by the chairman, to any time and place to be appointed, the period during which such meeting is adjourned being not less than ten days; and notice of such adjournment shall be given in at least two newspapers published in Adelaide, but no adjourned meeting shall be competent to transact any business not appointed for the original meeting.

Adjournment of meeting.

56. No special or general meeting of shareholders shall be competent

Number of shareholders to be present at meeting.

Miners Act.—1865.

petent to transact business, unless at least one-tenth, not being less than five of the registered shareholders, shall be present at one time, and within one hour of the time appointed for the holding of such meeting; and if such number of shareholders shall not be present as aforesaid, the meeting shall stand adjourned from day to day (Sunday not being reckoned), at the same hour and place, until such number shall attend, and a meeting is constituted; but no meeting once duly constituted as hereinbefore provided, shall be rendered incompetent to transact business by reason of the departure of any shareholder after the chair shall have been taken.

Powers of general meeting.

57. Subject to the provisions of this Act, any general meeting is competent to do any of the following things—

To elect or remove any director, auditor, or any person (except the manager), in the service or employ of the company:

To declare dividends, and to consider and deal with the accounts and report presented by the directors, auditors, and manager, in the ordinary course of their duties:

To compel the production of any book, paper, deed, or document, the property of the company:

To vote the remuneration of the directors or auditors:

To receive and consider the report of any committee appointed to inquire specially into any matter:

To revise or confirm, or reverse, or otherwise deal with any act of the directors:

To consider and deal with any other matter or thing affecting the interests of, or relating to the affairs of the company or any shareholders, and not specially provided for by this Act or the prospectus, or which may arise upon the transaction of of the aforesaid business, or any part thereof.

Power of special meeting.

58. Any special meeting is empowered, subject to the provisions of this Act, to do any of the following things—

To authorize the directors to borrow any sum or sums of money on mortgage or charge of the property of the company, or the bonds, debentures, loans, notes, or promissory notes of the company, or partly on some and partly on others of such securities, or any other securities which may be available, and which the meeting may approve:

To direct that the company be dissolved or wound up:

To amalgamate with any other company:

To amend, add to, or repeal any of the provisions of the prospectus: Provided that no such alteration shall have any effect until the same shall have been duly registered, for which the sum of

Miners Act.—1865.

of One Pound One Shilling shall be paid to the registrar of joint stock companies, who is hereby authorized to register such amended prospectus :

To exercise all powers and do all acts which any general meeting is authorized to do.

59. Every shareholder who shall be duly registered as the holder of a share, and who has paid all money due in respect of such share, shall be qualified to vote at any meeting, and the scale of voting shall be fixed by the prospectus, and if the scale of voting shall not be fixed by the prospectus, then the following shall be the scale :—

Shareholders may vote.

One to three shares inclusive . . .	one vote
Four to six shares inclusive . . .	two votes
Seven to ten shares inclusive . . .	three votes
Eleven to fifteen shares inclusive . . .	four votes
Sixteen to twenty-five shares inclusive . . .	five votes
Twenty-six to fifty shares inclusive . . .	six votes

and an additional vote for each twenty-five shares above the number of fifty shares : Provided that no one person shall be entitled to more than twenty votes.

60. When any share is registered in the name of two or more persons, the shareholder whose name stands first in the register of shareholders shall, for the purposes of voting at any meeting, be deemed the sole owner of such share.

Shareholder whose name appears first on list to vote.

61. At any meeting, all questions shall be determined by the majority of the shareholders present either personally or by proxy, each shareholder being entitled to vote in accordance with clause 60 of this Act or the prospectus, provided that all proxies shall be in writing.

At meeting, majority to decide.

62. If, at any meeting of the company, the directors shall report that, after providing for all claims against the company, there remains a surplus of clear net profits made by the company's property applicable for a dividend, the meeting may declare a dividend to the extent of such surplus, or to any less extent, and such dividend shall thereupon be paid by the directors to the respective shareholders in proportion to their respective shares, but subject to the retaining of any debts or claims due from or subsisting against the respective shareholders to or on the part of the company.

Dividends.

63. No dividend shall be paid to any person not on the registered list of shareholders, and all dividends payable in respect of any share which, at the time of the dividend being declared shall have no registered holder, claiming the same, shall accumulate for and be paid to any person becoming entitled to, and being registered in respect of such share, and all dividends unclaimed for six

No dividend payable except to registered shareholder.

Miners Act.—1865.

six months after having been declared shall be invested for the benefit of the person entitled thereto.

Directors not to pay dividend when company insolvent.

64. If the directors of any registered company shall make or pay any dividend when the company is known to them to be insolvent, or any dividend the payment of which would to their knowledge render the company insolvent, they shall be jointly and severally liable to all the debts of the company then existing, and for all that shall be thence after contracted so long as they shall respectively continue in office: Provided that if any of the directors shall be absent at the time of making such dividend, or shall object thereto and shall deposit such objection in writing with the manager, within seven days, any such director shall be exempted from the said liability.

Company to be wound up when three-fourths of actual capital is lost.

65. Whenever, on taking the half-yearly account of any registered company, or by any report of the auditors thereof, it shall appear that three-fourths of the actual capital of such company has been lost, the trading or business of such company shall be carried on for the sole purpose of winding up its affairs; and the directors and manager shall forthwith take proper steps for the dissolution of such company and the winding up of its affairs, and in default of so doing, the directors shall be liable to the same penalty as for the payment of a dividend when the company is insolvent.

Winding up.

66. When it shall be necessary to wind up the affairs of any company, the directors shall make sale and dispose of all the real and personal estate and effects of the company by public auction, or private contract, or partly in one mode and partly in the other, and subject to such conditions and stipulations, and in such manner, as they shall deem expedient, and either together or in parcels; and the receipts of such directors, or of any two of them, and of the manager, shall effectually discharge purchasers and others from all liability as to the application of the money, in such receipts expressed to be received; and the said directors shall stand possessed of the moneys to arise from the sale of such real and personal estate and effects upon the following trusts:—

To pay all costs and expenses incidental to the dissolution and winding up of the affairs of such company:

To pay the debts of the company in full, if such moneys will admit; and if there shall not be a sufficient sum to pay such debts in full, then—

To pay one and the largest uniform rate of dividend to the creditors as the moneys will allow:

And, lastly, to divide any surplus that may be found after payment in full of all the above-mentioned debts of the company, amongst the shares held by such shareholders, and subject to the provisions of this Act, as to the payment of other dividends.

Miners Act.—1865.

67. All pecuniary penalties imposed by this Act may be recovered in a summary way before any Special Magistrate, or two or more Justices of the Peace. Penalties, how recovered.

68. All moneys received for penalties imposed for offences against this Act shall be paid to the Treasurer on behalf of Her Majesty Her heirs and successors for the public uses of the said Province, and in support of the Government thereof. Appropriation of penalties.

In the name and on behalf of the Queen I hereby assent to this Act.

D. DALY, Governor.

Miners Act.—1865.

SCHEDULES REFERRED TO.

A

1. The name or title of the company and its purpose.
2. The proposed place of business of the company.
3. The amount of the intended nominal, if any, and actual capital of the company, and how divided.
4. The names and address of the promoters of the company.
5. The proposed duration of the company.

B

I, _____, Registrar of Joint Stock Companies, for the purposes of the Miners' Act of 1864, do hereby certify that (_____) is registered under the provisions of the said Act.

C

Name of Shareholder.	Address of Shareholder.	Number of shares held by each Shareholder.	Nominal value of each share.	Amount paid on each share.	Amount called up, but unpaid, on each share.	Total amount unpaid on each share and due to the Company.

D

I, the holder of the within allotment of shares in the Company, assign all my right and title to

Witness—

I, the above named assignee of the allotment of shares in the company, bind myself to all the conditions of the original allotment, and the prospectus of the company.

Witness—