



ANNO SECUNDO & TERTIO

# VICTORIÆ REGINÆ.

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## *Cap. xciii.*

An Act for forming and regulating a Company to be called "The Ship Propeller Company," and to enable the said Company to purchase certain Letters Patent. [29th July 1839.]

**W**HEREAS by Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* on or about the Thirty-first Day of *May* in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, His said Majesty did give and grant unto *Francis Pettit Smith*, his Executors, Administrators, and Assigns, the sole Privilege that he the said *Francis Pettit Smith*, his Executors, Administrators, and Assigns, and such others as he the said *Francis Pettit Smith*, his Executors, Administrators, or Assigns, should at any Time agree with, and no others, during the Term of Fourteen Years from the Date of the said Letters Patent, should and lawfully might make, use, exercise, and vend within that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, the Dominion of *Wales*, and the Town of *Berwick-upon-Tweed*, an Invention therein mentioned of an improved Propeller for Steam and other Vessels: And whereas the Nature of the said Invention and the Manner in which the same was to be performed were declared by a Specification thereof duly enrolled in Chancery, and by a Memorandum of Alteration thereof also duly enrolled: And whereas by

Letters Patent, dated 31st May 1836.

[Local.]

28 H

Letters

Letters Patent for Scotland, dated 4th June 1836.

Letters Patent for Ireland, dated 3d Sept. 1836.

Letters Patent directed by His said late Majesty King *William* the Fourth, at *Saint James's Palace*, on the Fourth Day of *June* One thousand eight hundred and thirty-six, to be sealed under the Seal by the Treaty of Union ordained to be used in *Scotland* instead of the Great Seal thereof, and accordingly sealed with such Seal at *Edinburgh* on the Fifteenth Day of *June* in the said Year One thousand eight hundred and thirty-six, His said late Majesty did grant unto the said *Francis Pettit Smith*, his Executors, Administrators, and Assigns, the sole Privilege that he the said *Francis Pettit Smith*, his Executors, Administrators, and Assigns, or such other Persons as he should agree with, and no others, during the Term of Fourteen Years from the Date of the same Letters Patent, should make, use, exercise, and vend the said Invention therein described as an improved Propeller for Steam and other Vessels, within that Part of the United Kingdom of *Great Britain* and *Ireland* called *Scotland*: And whereas the Nature of the said Invention and the Manner in which the same was to be performed were declared by a Specification thereof duly enrolled in His said Majesty's High Court of Chancery in *Scotland*: And whereas by Letters Patent under the Great Seal of *Ireland*, bearing Date at *Dublin* on or about the Third Day of *September* in the Seventh Year of the Reign of His said late Majesty King *William* the Fourth, His said late Majesty did give and grant unto the said *Francis Pettit Smith*, his Executors, Administrators, and Assigns, the sole Privilege that he the said *Francis Pettit Smith*, his Executors, Administrators, and Assigns, and such other Persons as he the said *Francis Pettit Smith*, his Executors, Administrators, or Assigns, should at any Time agree with, and no others, during the Term of Fourteen Years from the Date of the said Letters Patent, should and lawfully might make, use, exercise, and vend in *Ireland* the said Invention therein described as "an improved Propeller for Steam and other Vessels:" And whereas the Nature of the said Invention and the Manner in which the same was to be performed were declared by a Specification thereof duly enrolled in His Majesty's Court of Chancery in *Ireland*: And whereas the said Discovery and Invention comprised in the said Letters Patent respectively will be of great public Advantage and Importance, if Means are provided for facilitating the general Use thereof: And whereas the private Fortune of the said *Francis Pettit Smith* is insufficient to enable him to furnish the necessary Capital for carrying into full Effect the Object of his said Discovery and Invention as aforesaid: And whereas the Right Honourable *Charles Callis* Lord *Western*, Admiral *Charles Wollaston*, *Charles Andrew Caldwell*, *Henry Robinson*, *Edward Henry Darell*, *John Neave Wells*, and *Frederick Cayley Worsley*, being well satisfied of the great Utility of the said Discovery and Invention, and that the full Benefit of the same would be most advantageously exercised and afforded to the Public by a Joint Stock Company, to be formed and established for that Purpose, are desirous of purchasing the said Letters Patent so granted as aforesaid, and the said *Francis Pettit Smith* is willing to sell and assign the said Letters Patent unto the said Company, if they shall be authorized or enabled by Parliament to make such Assignment without making the said Letters Patent respectively void; but the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that

it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said *Charles Callis* Lord *Western*, Admiral *Charles Wollaston*, *Charles Andrew Caldwell*, *Henry Robinson*, *Edward Henry Darell*, *John Neave Wells*, and *Frederick Cayley Worsley*, and all and every other Persons and Person, Bodies and Body Politic, Corporate, or Collegiate, who shall for the Time being hold any Share or Shares in the Capital or Joint Stock herein-after mentioned, (so long as they shall respectively hold the same, and no longer,) and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby established and united into a Joint Stock Company, by the Name of "The Ship Propeller Company." Company established.

II. And be it further enacted, That the said Company shall be established for the Purpose of purchasing the said Letters Patent, and exercising the said Discovery and Invention, or any Part or Parts thereof, in the said Letters Patent mentioned, and also for the building, using, and employing any Ships or Vessels, and fitting with the said Propeller any Ships or Vessels built by the said Company or otherwise, and also for the erecting and establishing Works containing such Apparatus and Machinery as to the said Company may seem expedient, and also for the Appointment of proper Persons to attend, conduct, and manage the same, with full Power to the said Company to grant any Licences to others to use the said Discovery and Invention, or any Part or Parts thereof, under such Limitations and Restrictions as the said Company shall think fit, and generally to vend, use, employ, and deal with the said Invention, and the said Letters Patent, and any such Ships or Vessels, for their own Profit, Benefit, and Advantage, in such Manner in all respects as the said Company shall think fit. Purpose of the Company.

III. And be it further enacted, That it shall be lawful for the said Company to purchase, and also for the said *Francis Pettit Smith*, his Executors, Administrators, and Assigns, at any Time after the passing of this Act, to sell, transfer, grant, and assign unto the said Company, or unto any Person or Persons as a Trustee or Trustees for the said Company hereby established, the said several Letters Patent granted to the said *Francis Pettit Smith* as aforesaid, and the Invention therein comprised, and all the Rights, Privileges, Benefits, and Advantages of the said *Francis Pettit Smith* in or to the same, together with the Benefit of all or any Licences or Licence previously granted thereunder, or to grant unto the said Company, or to any Person or Persons as a Trustee or Trustees for the said Company hereby established, any Licence or Licences, exclusive or otherwise, to make, exercise, use, or vend the said Invention, or any Part or Parts thereof; and every such Sale, Transfer, Grant, and Assignment of any such Letters Patent as aforesaid, or of all or any of the Rights, Privileges, Benefits, or Advantages granted by such Letters Patent as aforesaid, or of all or any Benefit of such Licences, and any such Grant or Grants of Licence and Licences, to or in Trust for the said Company as aforesaid, shall be good, valid, and effectual to all Intents and Purposes, and shall not Patentee may assign Letters Patent to the Company without Forfeiture.

not render void any such Letters Patent, any Provisoes or Restrictions, Proviso or Restriction, contained or to be contained in any such Letters Patent to the contrary thereof in anywise notwithstanding; and after any such Sale, Transfer, Grant, or Assignment of such Letters Patent as aforesaid, or of any of the Rights, Privileges, Benefits, or Advantages granted by any such Letters Patent as aforesaid, or of any such Licence or Licences as aforesaid, all such Letters Patent, Rights, Privileges, Benefits, Advantages, and Licences respectively shall be, and the same are hereby declared to be, fully, absolutely, and effectually vested in the said Company, or held or possessed by some Person or Persons as a Trustee or Trustees for the said Company, to all Intents and Purposes whatsoever; and all and every such Letters Patent as aforesaid which shall or may be sold, transferred, or assigned as aforesaid unto the said Company, or unto some Person or Persons as a Trustee or Trustees for the said Company, or under or by virtue of which any such Licence or Licences shall or may be granted as aforesaid unto the said Company, or unto some Person or Persons as a Trustee or Trustees for the said Company, shall thenceforth be construed and considered in such and the same Manner to all Intents and Purposes whatsoever as if no such Condition, Provision, or Restriction as herein-before mentioned or referred to, or any other Condition, Provision, or Restriction against any such Sale, Transfer, Grant, or Assignment as aforesaid, had been inserted, expressed, or contained in such Letters Patent or any of them.

Company  
may grant  
Licences.

IV. And be it further enacted, That after any such Sale, Transfer, or Assignment of any such Letters Patent as aforesaid shall have been made unto the said Company, or to any Person or Persons as a Trustee or Trustees for the said Company, it shall be lawful for the said Company, or for any Two of the Directors for the Time being thereof, by the Direction of the Majority of a Board of Directors, at which Board Three Directors at the least shall be present and vote, to grant any Licence or Licences to any Person or Persons to make, use, exercise, or vend the said Discovery and Invention, or Discoveries and Inventions, comprised in such Letters Patent, or any Part or Parts thereof, either generally or within certain limited Districts, and under such Restrictions as to other Persons within the same District, and in all respects upon such Conditions and upon such Terms, and in all respects in such Manner, as the said Company or Board of Directors or such Majority thereof shall think fit.

Company  
may sue and  
be sued in  
the Name of  
a Director or  
of the Secretary.

V. And be it further enacted, That from and after the passing of this Act all Actions and Suits, and also all Petitions to found any Commission or Fiat of Bankruptcy in *England* or *Ireland*, or any Sequestration in *Scotland*, against any Person or Persons indebted to the said Company, and liable to be made bankrupt by the Laws now or at any Time hereafter in force relating to Bankrupts and Traders or to Sequestrations, and all Proceedings at Law or in Equity under any Commission or Fiat of Bankruptcy or under any Sequestration to be awarded in consequence of any such Petition, and all other Proceedings at Law or in Equity to be commenced, instituted, or carried on by or on behalf of the said Company, or wherein the said Company is or shall be concerned or interested, against any Person or Persons,  
Body

Body or Bodies Politic or Corporate, whether such Person or Persons, Body or Bodies Politic or Corporate, is or are or shall then be a Member or Members, Proprietor or Proprietors of or in the said Company, or not, shall and lawfully may be commenced, instituted, presented, and prosecuted or carried on in the Name of any Person who shall be a Director, Secretary, or other Officer of the said Company at the Time such Action, Suit, or Proceeding shall be commenced or instituted, as the nominal Plaintiff, Petitioner, or Party, for or on behalf of the said Company; and all Actions, Suits, and Proceedings, at Law or in Equity, to be commenced or instituted against the said Company by any Person or Persons, Body or Bodies Politic or Corporate, whether such Person or Persons, Body or Bodies Politic or Corporate, is or are or shall then be a Member or Members, Proprietor or Proprietors of or in the said Company, or not, may be commenced, instituted, and prosecuted against any Person who shall be a Director, Secretary, or other Officer for the Time being of the said Company, as the nominal Defendant, for and on behalf of the said Company; and all Prosecutions to be brought, instituted, or carried on by or on behalf of the said Company, for Fraud upon or against the said Company, or for Embezzlement, Robbery, or stealing any Money, Notes, Bills, Effects, Securities, or Property of the said Company, or for any other Offence against the said Company, shall and lawfully may be so brought, instituted, or carried on in the Name of any Director, Secretary, or Officer for the Time being of the said Company; and in all Indictments and Informations it shall be lawful to state the Property of the said Company to be the Property of the Ship Propeller Company, or of any Director, Secretary, or Officer for the Time being of the said Company; and any Offence committed with Intent to injure or defraud the said Company shall and lawfully may, in such Prosecution, be laid to have been committed with Intent to injure or defraud the Ship Propeller Company, or any Director, Secretary, or Officer for the Time being of the said Company, and any Offender or Offenders may thereupon be lawfully convicted of any such Offence; and in all other Allegations, or Indictments, Informations, or other Proceedings, in which before the passing of this Act it would have been necessary to state the Names of the Persons composing the said Company, it shall and may be lawful and sufficient to state the Name of any Director, Secretary, or Officer for the Time being of the said Company; and the Death, Resignation, or Removal of any such Director, Secretary, or Officer for the Time being, or any other Act or Proceeding of any such Director, Secretary, or Officer, done without the Consent of the said Company, shall not abate or render defective any such Action, Suit, Proceeding, or Prosecution.

Proceedings not to abate by Death, &c. of Director or Secretary, &c.

VI. And be it further enacted, That every Judgment, Decree, and Order which shall at any Time be obtained, made, or pronounced in any Action, Suit, or Proceeding, at Law or in Equity, against any such Director, Secretary, or other Officer of the said Company, as a nominal Defendant for and on behalf of the said Company, shall have the like Effect and Operation upon and against the Funds and Property of the said Company as if all the Members of the said Company were Parties before the Court to and in such Action, Suit, or Proceeding; and it shall be lawful for any Court in which such Judgment,

Judgments in Action against the Director or Secretary, &c. shall bind the Property of the Company and the Proprietors.

ment, Decree, or Order shall have been obtained, made, or pronounced, to cause any such Judgment, Decree, or Order to be enforced against the Funds and Property of the said Company, and also against all or any One or more of the Members for the Time being of the said Company, in like Manner as if all the Members of the said Company were Parties before such Court to and in such Action, Suit, or Proceeding.

Directors and Secretary to be reimbursed on account of Suits.

VII. Provided always, and be it further enacted, That every Director, Secretary, and Officer in whose Name any Action, Suit, or other Proceeding, Prosecution, Indictment, or Information under this Act may be commenced, prosecuted, preferred, or defended, and every Person, Body Politic, Corporate, or Collegiate, paying any Money, or suffering any Loss or Damage, by an Execution or otherwise, on account of the Debts, Engagements, Acts, Deeds, or Defaults of the said Company, shall be reimbursed and fully repaid out of the Funds and Property of the said Company all such Monies, Costs, Charges, Losses, Damages, and Expences as by reason of such Action, Suit, Proceeding, Prosecution, Indictment, Information, Payment, Execution, or otherwise, he or they shall pay, incur, sustain, or be put unto.

No Action against the Company to be affected in consequence of the Plaintiff being a Member.

VIII. And be it further enacted, That no Action, Suit, or Proceeding, either at Law, in Equity, or otherwise, which shall or may be brought or commenced against the said Company, or against any Director, Secretary, or Officer of the said Company, as a nominal Defendant for and on behalf of the said Company, under or by virtue of this Act, upon, for, or in respect of any Contract, Tort, Matter, or Thing whatsoever, shall be in anywise affected or defeated by or by reason of the Plaintiff or Plaintiffs, Complainant or Complainants therein, or of any other Person or Persons in whom any Right, Interest, or Remedy may be averred, or who may be in anywise interested or concerned in such Action, Suit, or Proceeding, being a Member or Members of the said Company; but any Member or Members of the said Company shall and may have, possess, prosecute, and maintain the same Rights of Actions, Suits, Proceedings, and Remedies against the said Company, or against some Director, Secretary, or Officer thereof as the nominal Defendant for or on behalf of the said Company, upon any Contract, Tort, Matter, or Thing whatsoever, which he or they might have had, possessed, or maintained if he or they had been a Stranger or Strangers and not a Member or Members of the said Company.

No Action commenced by the Company to be affected in consequence of the Defendant being a Member.

IX. And be it further enacted, That no Action, Suit, or Proceeding, either at Law or in Equity, or otherwise, brought, commenced, or prosecuted by or on behalf of the said Company, in the Name of the said Company, or in the Name of any Director, Secretary, or Officer of the said Company, as the nominal Plaintiff, Complainant, or Petitioner for or on behalf of the said Company, under or by virtue of this Act, upon, for, or in respect of any Contract, Tort, Matter, or Thing whatsoever, shall be in anywise affected or defeated by or by reason of the Defendant or Defendants therein, or any other Person or Persons against whom any Debt, Damage, Right, Interest, or Remedy shall

shall or may be averred or alleged, or ought to be pursued, prosecuted, or recovered, or any Person or Persons who shall or may or who otherwise should or might be liable to any such Suit, Action, or Proceeding being a Member or Members of the said Company, but the same Company shall and may have, possess, pursue, prosecute, maintain, and recover all and every the same Rights, Actions, Suits, Proceedings, and Remedies, from and against any Member or Members thereof, either alone or jointly with any other Person or Persons, upon, for, or in respect of any Contract, Tort, Matter, or Thing whatsoever which the said Company might have had, possessed, commenced, prosecuted, maintained, or recovered if he or they had been a Stranger or Strangers, and not a Member or Members of the said Company.

X. And be it further enacted, That a Memorial of the Names and Descriptions of the Secretary, and of every Director, and of the several Persons being Proprietors or Members of the said Company, in the Form for that Purpose expressed in the Schedule hereunto annexed, shall be verified by the Declaration of the Secretary or some Director of the said Company before a Master or Master Extraordinary in Chancery, and when so verified shall be enrolled in the High Court of Chancery in *England* within Twelve Calendar Months after the passing of this Act; and when any new Secretary or Director shall be elected, and when any Person or Persons shall cease to be a Member or Members of the said Company, and when any Person or Persons shall become a Member or Members of the said Company, a Memorial thereof respectively, so verified as aforesaid, shall in like Manner be enrolled as aforesaid within Three Calendar Months afterwards, in the Form or to the Effect expressed in the said Schedule for that Purpose; and when and so often as it shall be necessary to memorialize the Name or Names and Description or Descriptions of any Secretary, Director or Directors, Member or Members, either ceasing to be or becoming such, or to memorialize the Names of any Two or Three of the above Classes, the Names and Descriptions of such Persons respectively may be contained in one and the same Memorial to the Effect expressed in the said Schedule, to be verified and enrolled as herein-before is directed; and if any Declaration so made shall be false in any material Particular the Persons wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

Names of Members to be enrolled in the High Court of Chancery.

XI. Provided always, and be it further enacted, That until such Memorial as first herein-before mentioned shall have been enrolled in manner herein directed, no Action shall be brought by the said Company under the Authority of this Act; and all the Members whose Names shall be expressed in any Enrolment to be made in pursuance of this Act shall be and continue liable to all Actions, Suits, Judgments, and Executions, subject to such Limitation or Restriction as herein-after mentioned, until a Memorial or Memorials of their having ceased to be Members shall have been enrolled as aforesaid.

No Action to be brought until Memorial enrolled.

XII. Provided always, and be it further enacted, That no Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, having or claiming to have any Demand upon or against the said Company, shall

Actions when pleadable in bar.

shall commence or institute any Action, Suit, or other Proceeding, at Law or in Equity, or otherwise, in respect of such Demand, when the same Demand has been so determined or settled as that the Determination or Settlement thereof may have been pleadable in bar against such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, and such Determination or Settlement thereof in any Action against the said Company, or against any of the Directors for the Time being of the said Company, or against the Secretary or Officer thereof, or against any Member or Members thereof, may be pleaded in bar of any Action, Suit, or Proceeding which may in respect of the same Demand be commenced or instituted against any Member or Members of the said Company, or against the said Company, or any other Director, Secretary, or Officer of the said Company: Provided also, that the said Company, having or claiming to have any Demand upon or against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall not commence or institute any Action, Suit, or other Proceeding, at Law or in Equity, or otherwise, in respect of such Demand, when the same Demand shall have been so determined or settled as that the Determination thereof may have been pleadable in bar by such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate; and such Determination or Settlement shall or may be pleaded in bar of any Action, Suit, or Proceeding which shall or may in respect of the same Demand be commenced or instituted by the said Company, or any Secretary, Director, or Officer thereof, under or by virtue of this Act, against such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, or their respective Executors, Administrators, Successors, or Assigns.

Act to apply to all future Members of the Company.

XIII. And be it further enacted, That this Act and the Provisions herein contained shall extend and be construed and taken to extend to the said Company called the Ship Propeller Company at all Times during the Continuance of the same, whether the said Company shall hereafter be composed of all or some of the Persons who were the original Members thereof, or of all or some of those Persons together with some other Person or Persons, or shall be composed altogether of Persons who were not original Members of the same, or of Persons all of whom shall become Members after the passing of this Act.

Capital of the Company.

Number of Shares.

XIV. And be it further enacted, That the Capital or Joint Stock of the said Company shall consist of the Sum of One hundred thousand Pounds, which Sum it shall be lawful for the said Company to raise amongst themselves when and as it may be deemed expedient; and such Capital or Joint Stock shall be divided into Four thousand Shares of Twenty-five Pounds each; and every Holder of a Share or Shares of the said Capital or Joint Stock shall be considered a Member or Proprietor of the said Company, and shall be entitled to and interested in such Capital or Joint Stock according to the Number of Shares which such Member or Proprietor shall have therein.

Power to increase the Capital.

XV. And be it further enacted, That in case the said Sum of One hundred thousand Pounds hereby authorized to be raised shall be found insufficient for the Purposes of this Act, then and in such Case



it shall be lawful for the Directors for the Time being of the said Company, at any Board to be specially called for that Purpose, with the Consent of any General Meeting specially called for that Purpose, to raise at One or more Time or Times any further Sum or Sums of Money not exceeding in the whole the Sum of One hundred thousand Pounds, and which further Sum or Sums shall form Part of the said Capital or Joint Stock of the said Company, and shall be raised in Shares, at such Rate or Price *per* Share and under such Regulations as the Directors shall think expedient; and all and every Persons and Person, Bodies and Body Politic, Corporate, or Collegiate, who shall for the Time being hold any such new Share or Shares, (so long as they shall respectively hold the same, and no longer,) shall be considered Members and Proprietors of the said Company in respect of such Shares or Share respectively, and shall, from the Time only of their respectively acquiring the same, be entitled, in like Manner as if such further Sum or Sums of Money hereby authorized to be raised as aforesaid had originally been Part of the Capital or Joint Stock of the said Company; and that each of the Shares in the said Company shall be distinguished by a Number, and the same Shares shall be numbered in regular Progression beginning with Number One, and shall be entered or registered in the Books of the Company.

XVI. And be it further enacted, That the Shares in the said Company and Undertaking, and in the net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

Shares to be deemed Personal Estate.

XVII. And be it further enacted, That all and singular the Joint Stock, Chattels, Monies, Property, and Effects of the said Company shall be answerable for and subject to the Debts, Engagements, and Liabilities of the said Company, and shall be answerable for the due Performance of every Contract entered into by the said Company, and for all Damages which shall be recovered by reason of any Breach or Nonperformance thereof.

Joint Stock and Property of Company to be liable to its Debts and Contracts.

XVIII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed, construed, or taken to extend, to incorporate the said Company, or to relieve or discharge the said Company, or any of the Members thereof respectively, from any Responsibility, Contracts, Duties, or Obligations whatsoever to which by Law they now are or at any Time hereafter may be subject or liable; either as between such Company and other Parties, or as between the said Company and any of the individual Members of such Company and others, or among themselves, or in any other Manner howsoever.

Not to extend to incorporate the Company.

XIX. And be it further enacted, That in any Action, Suit, or other Proceeding, at Law or in Equity, respecting any Matter relating to the said Company, no Person acting under the Authority of or in the Service of the said Company shall for that Reason alone be in any

Servants of the Company not incompetent Witnesses.

[Local.]

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Manner

Manner incapacitated from giving Evidence in such Action, Suit, or other Proceedings.

Any Director of the Company may grant Releases to Witnesses.

XX. And be it further enacted, That in all Actions, Suits, or other Proceedings, at Law or in Equity, and also in all Prosecutions commenced or instituted by or on behalf of the said Company, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, or otherwise, it shall be lawful for any Director for the Time being of the said Company, not being personally interested otherwise than as a Proprietor of Shares, to sign, execute, and deliver, for and on behalf of the said Company, any such general or other Release as may be deemed to be necessary for the Purpose of exonerating and releasing any Person who may be produced as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Company; in order to qualify such Person to give Evidence as a Witness in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding, and also to do any other Act in any such Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding, which any Plaintiff, Defendant, or other Party may do in any Action, Suit, Prosecution, Arbitration, Reference, or other Proceeding; and every such Release and Act respectively shall be valid and effectual to all Intents and Purposes whatsoever; and that all Minutes, Orders, and Proceedings of any General or Special Meeting of the Members of the said Company, or of any Board of Directors, signed by the Person in the Chair, shall be deemed and taken to be original Minutes, Orders, and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others.

Service of Notice on the Company.

XXI. And be it further enacted, That in all Cases wherein it may be necessary for any Person to serve any Summons, Demand, or Notice, or any Writ or other Proceeding, at Law or in Equity; or otherwise, upon the said Company, Service thereof respectively on the Secretary or any Director for the Time being of the said Company, or by leaving the same at the principal Office of the said Company in *London*, shall be deemed good and sufficient Service of the same respectively on the said Company.

Service of Notice by the Company.

XXII. And be it further enacted, That in all Cases wherein it may be necessary for the said Company to give any Summons, Demand, or Notice of any Kind whatsoever, to any Person or Corporation, such Summons, Demand, or Notice may be given in Writing, signed by the Secretary, Attorney, Solicitor, or any Director for the Time being of the Company.

Mode of Proof, &c. by Company in Cases of Bankruptcy and Insolvency.

XXIII. And be it further enacted, That in case any Fiat or Commission of Bankruptcy shall be awarded against any Person who shall be indebted to the said Company, or against whom the said Company shall have any Claim or Demand, or in case any Person who shall be indebted to the said Company, or against whom the said Company shall have any Claim or Demand, shall petition to take the Benefit of any

any Act for the Relief of Insolvent Debtors, it shall be lawful for the Secretary or any of the Directors for the Time being of the Company to appear and act on behalf of the said Company, in respect of any such Debt, Claim, or Demand, before the Commissioner under any such Fiat or Commission of Bankruptcy, or before the Court of Insolvent Debtors or any Commissioners thereof, either personally or by his Affidavit, to be sworn and exhibited in the usual Manner, in order to prove and establish any such Debt, Claim, or Demand under such Fiat, Commission, or Insolvency; and such Secretary or any such Director shall in all such Cases be admitted and allowed to make Proof or tender a Claim under any such Fiat, Commission, or Insolvency, on behalf of the said Company, in respect of any such Debt, Claim, or Demand, and shall have such and the same Powers and Privileges as to voting in the Choice of Assignees (and as to signing Certificate in case of Bankruptcy), and otherwise, in respect of any Debts admitted to be proved on behalf of the said Company, as any other Person, being a Creditor of such Bankrupt or Insolvent in his own Right, would have in respect of the Debt proved by him under such Fiat, Commission, or Insolvency.

XXIV. And be it further enacted, That it shall be lawful for any Director of the said Company to execute any Condition, Deed, Letter of Licence, Composition, or Release in his own Name on behalf of the said Company. Directors may sign Deeds, &c.

XXV. And be it further enacted, That it shall be lawful for any Three of the Directors for the Time being of the said Company, from Time to Time, by any Deed or Deeds under their Hands and Seals, to nominate or appoint any Attorney or Attornies, and with or without any Power of Substitution, for the Purpose of making, doing, executing, or performing any Act, Deed, Matter, or Thing which may be necessary or expedient to be made, done, executed, or performed under or by virtue or in pursuance of this Act, or any Order or Resolution of any General Meeting of the Members of the said Company. Directors may execute Powers of Attorney.

XXVI. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, and preparatory or relating to the same, or to the Formation of the said Company, shall be paid and discharged out of the first Monies subscribed or to be subscribed for the Purposes of this Act. Expences of Act how to be paid.

XXVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others. Public Act

The SCHEDULE to which this Act refers.

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MEMORIAL made the \_\_\_\_\_ Day of \_\_\_\_\_ 18\_\_\_\_, of the Names and Descriptions of the present Directors, Secretary, and Proprietors of the Ship Propeller Company, to be enrolled pursuant to an Act of Parliament passed in the \_\_\_\_\_ Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*].

<i>A.B.</i> of	}	Directors.
<i>C.D.</i> of		
<i>&amp;c. &amp;c.</i>		
<i>E.F.</i> of		Secretary.
<i>G.H.</i> of	}	Proprietors.
<i>I.K.</i> of		
<i>&amp;c. &amp;c.</i>		

I \_\_\_\_\_ of \_\_\_\_\_ one of the Directors [*or Secretary*] of the said Company, do solemnly and sincerely declare, That the above-written Memorial contains the Names and Descriptions of the present Directors, Secretary, and all the present Proprietors of the said Company, as the same appear in the Books of the said Company; and I make this solemn Declaration, conscientiously believing the same to be true.

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*In the Case of Appointment of new Directors or Secretary.*

MEMORIAL made the \_\_\_\_\_ Day of \_\_\_\_\_ 18\_\_\_\_, of the Names and Descriptions [*or the Name and Description*] of the Persons [*or a Person*] who have [*or hath*] become Directors [*or Director or Secretary*] of the Ship Propeller Company, to be enrolled pursuant to an Act of Parliament passed in the \_\_\_\_\_ Year of the Reign of Queen *Victoria*, intituled [*here set forth the Title of this Act*].

<i>L.M.</i> of	}	Directors.
<i>N.O.</i> of		
<i>&amp;c. &amp;c.</i>		
<i>L.M.</i> of	<i>or,</i>	Director.
<i>P.Q.</i> of	<i>or,</i>	Secretary.

I \_\_\_\_\_ of \_\_\_\_\_ one of the Directors [*or Secretary*] of the said Company, do solemnly and sincerely declare, That the above-written Memorial contains the Names and Descriptions [*or Name*]

Name and Description] of the Persons [*or a Person*] who have [*or hath*] become Directors [*or a Director or Secretary*] of the said Company in the Place of [*here state the Names or Name of the Persons or Person in the Place of whom the new Directors or Director or Secretary shall have succeeded to Office*]; and I make this solemn Declaration conscientiously believing the same to be true.

*In case of Persons or Corporations ceasing to be Proprietors.*

MEMORIAL made the \_\_\_\_\_ Day of \_\_\_\_\_ of the Name and Description [*or Names and Descriptions*] of the Person *or* Persons, *or* Body *or* Bodies Politic, Corporate, *or* Collegiate, [*as the Case may be,*] who hath [*or have*] ceased to be a Proprietor [*or Proprietors*] in the Ship Propeller Company since the \_\_\_\_\_ Day 18 \_\_\_\_\_ (being the Date of the Memorial first enrolled of the Names of Proprietors, *or, after the Enrolment of a Memorial of the Names of Parties ceasing to be Proprietors,* being the Date of a Memorial last enrolled of the Names of Parties ceasing to be Proprietors of the said Company), enrolled pursuant to an Act of Parliament passed in the \_\_\_\_\_ Year of the Reign of Her Majesty Queen Victoria, intituled [*here set forth the Title of this Act*].

R.S. of  
T.U. of  
&c. &c.

I \_\_\_\_\_ of \_\_\_\_\_ one of the Directors [*or Secretary*] of the said Company, do solemnly and sincerely declare, That the above-written Memorial contains the Name and Description [*or Names and Descriptions*] of the Person [*or Persons, or Body or Bodies Politic, Corporate, or Collegiate, as the Case may be,*] as the same appear in the Books of the said Company, who have [*or hath*] ceased to be a Proprietor [*or Proprietors*] of the said Company since the \_\_\_\_\_ Day of \_\_\_\_\_ 18 \_\_\_\_\_; and I make this solemn Declaration conscientiously believing the same to be true.

*In case of Persons or Corporations becoming Proprietors.*

MEMORIAL made the \_\_\_\_\_ Day of \_\_\_\_\_ 18 \_\_\_\_\_ of the Name and Description [*or Names and Descriptions*] of the Person [*or Persons, Body or Bodies Politic, Corporate, or Collegiate, as the Case may be,*] who hath [*or have*] become a Proprietor [*or Proprietors*] of the Ship Propeller Company since the \_\_\_\_\_ Day of \_\_\_\_\_ 18 \_\_\_\_\_ being the Date of the Memorial last enrolled of the Names of Parties being or becoming Proprietors of the said Company, enrolled pursuant to an Act of Parliament passed in the \_\_\_\_\_ Year of the Reign of Her Majesty Queen Victoria, intituled [*here set forth the Title of this Act*].

V.W. of  
X.Y. of  
&c. &c.

I \_\_\_\_\_ of \_\_\_\_\_ one of the Directors [*or Secretary*] of the said Company, do solemnly declare, That the above-written  
[Local.] 28 L written

written Memorial contains the Name and Description [*or* Names and Descriptions] of the Person [*or* Persons], as the same appear in the Books of the said Company, who hath [*or* have] become Proprietor [*or* Proprietors] of the said Company since the Day of 18 ; and I make this solemn Declaration conscientiously believing the same to be true.

*In case of memorializing several Changes at the same Time.*

MEMORIAL made the Day of 18 of the Name and Description of the Persons [*or* Person] who have [*or* hath] become Directors [*or* a Director] of the Ship Propeller Company, and the Name and Description of the Person who hath become Secretary of the said Company, and of the Name and Description [*or* Names and Descriptions] of the Person [*or* Persons], *or* Body *or* Bodies Politic, Corporate, *or* Collegiate, [*as the Case may be,*] who hath [*or* have] ceased to be a Proprietor [*or* Proprietors] of the said Company, and of the Name and Description [*or* Names and Descriptions] of the Person [*or* Persons, Body *or* Bodies Politic, Corporate, *or* Collegiate, *as the Case may be,*] who hath [*or* have] become a Proprietor *or* Proprietors of the said Company, enrolled pursuant to an Act of Parliament passed in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*].

Names and Descriptions [*or* Name and Description] of the new Directors [*or* Director].

A.A. of  
B.B. of  
&c. &c.

Name and Description of the new Secretary.

C.C. of

Name and Description [*or* Names and Descriptions] of the Person [*or* Persons, Body *or* Bodies Politic, Corporate, *or* Collegiate, *as the Case may be,*] who hath [*or* have] ceased to be a Proprietor [*or* Proprietors] since the Day of 18 being the Date of the Memorial last past enrolled of the Names of Proprietors, *or, after the Enrolment of the Names of the Parties ceasing to be Proprietors,* being the Date of the Memorial last enrolled of the Names of Parties ceasing to be Proprietors of the said Company.

D.D. of  
E.E. of  
F.F. of  
&c. &c.

Name and Description [*or* Names and Descriptions] of the Person [*or* Persons, Body *or* Bodies Politic, Corporate, *or* Collegiate, *as the Case may be,*] who hath [*or* have] become a Proprietor *or* Proprietors since

since the                      Day of                      18                      being the Date of the  
Memorial last enrolled of the Names of Parties being or becoming  
Proprietors of the said Company.

G.G. of  
H.H. of  
I.I. of  
&c. &c.

I    of    one of the Directors [*or*  
Secretary] of the said Company, do solemnly and sincerely declare,  
That the above-written Memorial contains the Names and Descriptions  
of the Persons [*or* Person] who have [*or* hath] become Directors [*or*  
a Director] in the Place of [*here state the Names or Name of the*  
*Persons or Person in the Place of whom the new Directors or Di-*  
*rector shall have succeeded to Office*], and of the Person who hath  
become Secretary in the Place of [*here state the Name of the Person*  
*in the Place of whom the new Secretary shall have succeeded to Office*],  
and of the Person *or* Persons, Body *or* Bodies Politic, Corporate, *or*  
Collegiate, [*as the Case may be,*] who hath [*or* have] ceased to be a  
Proprietor [*or* Proprietors] of the said Company, and of the Person  
[*or* Persons, Body *or* Bodies Politic, Corporate, *or* Collegiate, *as the*  
*Case may be,*] who hath [*or* have] become a Proprietor [*or* Proprietors]  
of the said Company, as the same respectively appear in the Books of  
the said Company; and I make this solemn Declaration conscientiously  
believing the same to be true.

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LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1839.

