



ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

Cap. cxv.

An Act for forming and establishing a Company to be called "The General Salvage Company," and for enabling the said Company to purchase certain Letters Patent. [23d July 1840.]

WHEREAS by Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Twelfth Day of *May* in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, His said Majesty did give and grant unto *Edward Austin*, therein described, his Executors, Administrators, and Assigns, the sole Privilege that he the said *Edward Austin*, his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or by his and their Deputy or Deputies, Servants or Agents, or such others as he the said *Edward Austin*, his Executors, Administrators, or Assigns, should at any Time agree with, and no others, from Time to Time and at all Times thereafter, during the Term of Fourteen Years, 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 Town of *Berwick-upon-Tweed*, and also His said Majesty's Colonies and Plantations abroad, an Invention of certain Improvements in raising sunken Vessels and other Bodies, and that he the said *Edward Austin*, his Executors, Administrators, and Assigns, should and lawfully might have and enjoy the whole Profit, Benefit, Commodity, and Advantage from Time to Time accruing by reason of the said Invention during the Term aforesaid: And whereas by

Letters Patent under the Great Seal, 12th May, 7 W. 4.

[Local.]

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Letters

Letters Patent under the Great Seal, 3d October, 3 Vict.

Letters Patent under the Great Seal of *Great Britain* bearing Date at *Westminster* the Third Day of *October* in the Third Year of the Reign of Her present Majesty Queen *Victoria*, Her said Majesty did give and grant unto *William Henry Burke*, therein described, his Executors, Administrators, and Assigns, the sole Privilege that he the said *William Henry Burke*, his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or by his or their Deputy or Deputies, Servants or Agents, or such others as he the said *William Henry Burke*, his Executors, Administrators, or Assigns, should at any Time agree with, and no others, from Time to Time and at all Times thereafter, during the Term of Fourteen Years, 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 Town of *Berwick-upon-Tweed*, and also Her said Majesty's Colonies and Plantations abroad, an Invention of certain Improvements in the Mode of constructing Vessels for containing Air applicable to the Purpose of raising sunken, or lifting floating Bodies, under or in Water, and of fastening such Vessels to Chains or other Machinery or Apparatus to be used for raising or lifting such Bodies, and that he the said *William Henry Burke*, his Executors, Administrators, and Assigns, should and lawfully might have and enjoy the whole Profit, Benefit, Commodity, and Advantage from Time to Time accruing by reason of the said last-mentioned Invention during the Term last aforesaid: And whereas the Specifications of the said several Improvements required to be made by the said several Letters Patent respectively so granted to the said *Edward Austin* and *William Henry Burke* have been duly enrolled in the High Court of Chancery: And whereas the said several Letters Patent respectively contain a Proviso for making void the same, if at any Time thereafter the said Letters Patent respectively, or the Liberties or Privileges thereby granted, should become vested in or in Trust for more than the Number of Twelve Persons or their Representatives at any One Time, as Partners dividing or entitled to divide the Benefit or Profits obtained by reason of the said Letters Patent respectively: And whereas the said Inventions comprised in the said several Letters Patent respectively will be of great public Benefit and Utility, by materially diminishing the heavy Losses sustained by Accidents at Sea and elsewhere, and in other important Respects, if Means are provided for facilitating the general Use thereof: And whereas *John Watson Borradaile*, *Lestock Peach Wilson*, and other Persons, being satisfied of the great Utility of the said Inventions, and that the full Benefit of the same would be most advantageously exercised and afforded to the Public by the Formation of a Joint Stock Company to be established for that Purpose, are desirous of purchasing the said several Letters Patent so granted to the said *Edward Austin* and *William Henry Burke* as aforesaid, if they shall be authorized by Parliament to make such Purchase without making the said Letters Patent void: And whereas the several Purposes aforesaid cannot be effected without the 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 *John Watson Borradaile* and *Lestock Peach Wilson*, 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 of the Company 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 General Salvage Company."

Establishment of the Company.

II. And be it further enacted, That the said Company shall be established for the Purpose of purchasing the said several Letters Patent dated the Twelfth Day of *May* in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, and the Third Day of *October* in the Third Year of the Reign of Her present Majesty, herein-before respectively recited, and also for the Purpose of exercising, using, and vending the said Inventions respectively, and also for making such Apparatus and Machinery as the said Company may deem expedient, and also for the Appointment of proper Persons to attend and conduct the same, with full Power and Authority to the said Company to grant any Licences to others to use the said Inventions or either of them, or any Part or Parts thereof respectively, under such Limitations and Restrictions as the said Company shall think fit, and generally to vend, use, employ, exercise, and deal with the said Inventions respectively, and the said several Letters Patent, for their own proper Benefit and Advantage, in such Manner in all respects as the said Company shall think fit.

Purposes for which the Company is established.

III. And be it further enacted, That it shall be lawful for the said Company to purchase, and also for the said *Edward Austin*, his Executors, Administrators, and Assigns, and for the said *William Henry Burke*, 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 to the said *Edward Austin* and *William Henry Burke* as aforesaid, or either of them, and the Inventions and Improvements therein comprised, or either of them, or any Part thereof, and all or any of the Rights, Privileges, Benefits, and Advantages of the said *Edward Austin* and of the said *William Henry Burke* respectively in or to the same, or any or either of them, and of and in all Licences granted or to be granted under the same, or any or either of them, or to grant unto any Person or Persons as a Trustee or Trustees of the said Company hereby established any Licence or Licences, exclusive or otherwise, to use, make, exercise, and vend the said Inventions and Improvements, or either of them, or any Part or Parts thereof respectively; 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 render void any such Letters Patent granted

Company empowered to purchase certain Letters Patent.

granted or to be granted as aforesaid, any Provisoes or Restrictions, Proviso or Restriction, contained in any such Letters Patent granted or to be granted as aforesaid to the contrary thereof in anywise notwithstanding; and after any such Sale, Transfer, Grant, or Assignment 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, or under or by virtue of which any such Licence or Licences shall or may be granted as aforesaid, shall henceforth be construed and considered in such and the same Manner, to all Intents and Purposes whatsoever, as if no such Condition, Proviso, 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 as aforesaid, or either of them.

After Transfer of Patent the 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 the Board of Directors thereof, when appointed, to grant any Licence or Licences to any Person or Persons to make, use, exercise, or vend the said Inventions and Improvements comprised in such Letters Patent, or either of them, or any Part or Parts thereof respectively, either generally or within certain limited Districts, and for such Term or Period of Time, 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 to the said Company or Board of Directors shall seem fit.

Expences of this Act.

V. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing of 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.

Public Act.

VI. 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.