



ANNO SEXTO

GEORGIIV. REGIS.

Cap. clxxxii.

An Act to alter, amend, and enlarge the Powers of an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to encourage the working of Mines in Ireland by means of English Capital, and to regulate a Joint Stock Company for that Purpose.* [22d June 1825.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to encourage the working of Mines in Ireland by means of English Capital, and to regulate a Joint Stock Company for that Purpose*, whereby it was enacted, that certain Persons therein mentioned, and their several Executors, Administrators, and Assigns, and all and every other Person and Persons, Body or Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, who should, according to the Conditions and Restrictions thereafter, set forth, be possessed of any Part of the said Joint Stock, their several and respective Executors, Administrators, and Assigns, so long as they should hold the same and no longer, and they and their Executors, Administrators, and Assigns, holding such Shares in the said Stock as aforesaid, should have full Power and Authority from Time to Time, and at all Times thereafter, to search for and work all such Mines and Mine Works, Quarries, Pits, Holes, Beds, Veins, and other Bearings of Mines, Ore, Coal, and other Minerals and Metals and Metallic Substances, and all other Matters and Products, in that Part of the United Kingdom of

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5 G. 4. c. 136.

[Local.]

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Great

Great Britain and Ireland called *Ireland* as aforesaid, as they should contract for, take on Lease, or hold or possess under or by virtue of the said recited Act, and should, for the Purposes therein mentioned, be a Joint Stock Company, under the Name and Description of *The Hibernian Mining Company*: And whereas the said Company have proceeded in the Execution of the Powers and Authorities of the said recited Act, and have made Contracts and Agreements for the working of divers Mines, Mine Works, Pits, Holes, Beds, Veins, and other Bearings of Mines, Ore, Coal, and other Minerals and Metals and Metallic Substances, and other Matters and Products, and for the useful Employment of Quarries and other unprofitable Grounds and Places in that Part of the United Kingdom of *Great Britain and Ireland* called *Ireland*: And whereas, in order to give full and complete Effect to the said recited Act, and to afford Encouragement to the said Company to expend large Sums in working and making profitable all or any of such Mines or Mine Works, Pits, Holes, Quarries, or other Waste Grounds, Beds, Veins, or Bearings of Mines, Metals, Minerals, and other Matters and Products, it is expedient that several of the Provisions of the said recited Act should be altered and amended; but inasmuch as the same cannot be carried into Effect without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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 it shall and may be lawful to and for the Directors of the said Company from Time to Time to treat, contract, and agree for, obtain, take, purchase, and hold for Lives, or Years determinable on Lives, or Years absolute, and either redeemable or not, or for any other Estate, for the Benefit of the said Company, for the Purposes aforesaid, any Mines or Mine Works, Pits, Beds, Veins, and other Bearings of Iron Ore, Coal, and other Minerals, Matters, and Products as aforesaid, in that Part of the United Kingdom of *Great Britain and Ireland*, and also so much of the Surface Soil of, upon, over, or adjacent to any such Mines or Mine Works, Pits, Beds, Veins, or other Bearings of Iron, Coal, or other Minerals, Matters, or Products aforesaid, as shall be requisite, expedient, or convenient for the Erection of Engines or Machinery, or any Edifice or Building, or otherwise, for more effectually working any such Mines or Mine Works, Pits, Beds, Veins, or other Bearings of Iron Ore and Coal, or other Minerals, Matters, and Products as aforesaid, and for bringing to grass, smelting, spalling, dividing, dressing, or making merchantable any Ores, Metals, Coals, Minerals, or other Matter or Products to be raised or gotten from any such Mines, Mine Works, Pits, Beds, Veins, or other Bearings, or to treat, contract, and agree for, obtain, take, purchase, and hold the Right, Licence, Liberty, and Authority to work and use any such Mines, Pits, Beds, Veins, and other Bearings, and any such Soil, and to set up, construct, erect, or make any such Engines, Machinery, Erections, and Buildings, or any other Rights, Licences, Liberties, or Authorities, or any other Lands or Hereditaments which may be requisite or convenient in or about the Premises, and to procure such Renewal or Renewals to be made of the Estate or Interest for the Time being subsisting in the Mines, Mine Works, Pits, Beds, Veins, and other Bearings, Rights, Licences, Liberties, Authorities, Hereditaments, and Premises, of, to, or in which the said Company, or the said Subscribers or Proprietors,

Directors of
Company
may take
Mines, for
the Purpose
of working.

or any of them, now are or hereafter shall or may be seised, possessed, entitled, or interested, as the said Company shall be entitled to or may be able to procure, and as the Directors shall think it expedient to procure; and also to sell and dispose of any such Mines or Mine Works, Pits, Beds, Veins, and other Bearings of Iron Ore, Coal, or other Minerals, Matters or Products aforesaid, and also of any such Surface Soil thereof, as the said Directors, or any Five or more of them, shall think proper.

II. And be it further enacted, That it shall and may be lawful for all Archbishops and Bishops, Deans and Chapters, Archdeacons, Prebendaries, Dignitaries, and other Ecclesiastical Persons, Rectors or Vicars, and to and for all Bodies Politic and Corporate, Colleges, Cathedrals, or Collegiate Churches and Hospitals, and to and for all and every Person and Persons whatsoever who now are or at any Time hereafter shall be Tenant or Tenants for Life, with an immediate Remainder to his or her First and every other Son in Tail Male, and to and for every Husband who now is or at any Time hereafter shall be Tenant for Life, with Remainder to his Wife for her Life, with Remainder to their First and every other Son successively in Tail General or Special, and to and for every Married Woman in conjunction with her Husband, where such Married Woman shall be seised as Tenant for Life, with Remainder to her Husband for his Life, with Remainder to their First and every other Son in Tail General or Special, and also to and for every Father, Tenant for Life, with Remainder to his Son for Life, with Remainder for every Son of such Son in Tail General or Special, and also to and for every Person or Persons who now are or at any Time hereafter shall be Tenant in Dower or by Courtesy, by and with Consent of such Person and Persons as shall be seised in Reversion and Remainder of an Estate of Inheritance immediately expectant upon the Death of such Tenants in Dower, of her Trustees, or in case of her Nonage, Idiocy, or Lunacy of such Person so seised in Reversion or Remainder, then with and by the Consent of the Guardian or Guardians of such Minor, or the Committee of such Idiot or Lunatic, by and with the Approbation of the Lord Chancellor, Lord Keeper, or Commissioners of the Great Seal of *Ireland* for the Time being, in the said Cases of Nonage, Idiocy, or Lunacy, by Indentures under their Hands and Seals, whereof Counterparts are to be duly executed, to make and grant unto the Directors for the Time being of the said Company, or any Three or more of them, and their Successors and Assigns, for the Benefit of the said Company, Leases, for a Term not exceeding Twenty-one Years, of all or any Mines or Mine Works, Pits, Holes, Beds, Veins, or other Bearings of Mines, Ores, Coals, and all or any Quarries, and all other waste and unprofitable Lands or Grounds whatsoever, of or in any County or Shire in that Part of the United Kingdom called *Ireland*, so as every such Lease be made in Possession, without any Fine, Foregift, or any other Consideration than the yearly Rent or Duties in such Lease reserved or mentioned, and so as that the best and most improved Rent or Royalty shall be reserved and made payable thereby: Provided always, that every such Lease shall be made conformable to the Leases which any such Body Politic and Corporate, Person or Persons aforesaid, are by any former Acts of Parliament authorized and empowered to make, excepting only so far as such Leases, and the Term or Interest therein, and the Rent to be reserved thereby, are altered by this Act.

Bodies Politic, &c. empowered to make Leases for Years of Mines, &c. provided the utmost improved Rent is reserved, and no Fine paid.

III. Pro-

Contingent
Remainders.

III. Provided always, and be it further enacted, That in Cases of Tenants for Life, that when and so often as an Estate or Estates to support contingent Remainders, or a Term or Terms for Years, shall be or is interposed between their Estates for Life and the next Estate Tail, such Tenants for Life, nevertheless, are hereby empowered to make a Lease or Leases of Mines, Mine Works, Quarries, or other Waste Grounds, Pits, Holes, Beds, Veins, and other Bearings of Mines, Metals, Minerals, and other Matters and Products as aforesaid, to the Directors of the said Company, or any Three or more of them, their Successors and Assigns, in like Manner as if no Estate to support contingent Remainders or Term for Years were interposed between their said Estates for Life and their said Estates Tail.

In Cases of
Infants,
Idiots, or
Lunatics.

IV. And whereas it may happen that Persons seised as is herein-before mentioned may be Infants, Idiots, or Lunatics; be it therefore enacted, That in all and every such Case and Cases it shall and may be lawful for all Guardians, Trustees, and Committees of and for such Infants, Idiots, and Lunatics, by and with the Consent of the Lord Chancellor or Lord Keeper or Commissioners of the Great Seal of *Ireland* for the Time being, to grant and make Leases for, or for any Term or Number of Years not exceeding Twenty-one, of all or any such Mines, Minerals, Quarries, and Beds as herein-before mentioned, as are or shall be found in any Manors, Lands, and Tenements of such Infants, Idiots, or Lunatics, and so as such Consent be had, and all other Directions and Restrictions herein-before mentioned in the making of all such Leases.

Leases made
to Directors
pursuant to
Act to be
good against
Reversioner.

V. And be it further enacted, That all Leases made to the Directors of the said Company for the Time being, or to any Three or more of them and their Successors, by virtue of and pursuant to the said recited Act and this Act, shall be and remain good and valid, not only against the Person or Persons who shall make such Leases, but also against all and every his, her, and their respective Heirs and Assigns, and all and every Person or Persons having or claiming any Estate, Right, Title, or Interest in Reversion or Remainder expectant on the Determination of the Estate of the Person or Persons making the same, or to or out of any such Mines, Mine Works, Quarries, or unprofitable Grounds, Pits, Holes, Beds, Veins, Minerals, or other Matters and Products as aforesaid, which shall be demised by such Lease or Leases; any Law, Statute, or Usage to the contrary notwithstanding.

Directions as
to Leases, &c.
made by the
Directors.

VI. And be it further enacted, That in every Lease, Contract, or Agreement which shall be made by any Three or more of the Directors of the said Company pursuant to the Provisions of this Act, there shall be expressed, that such Lease, Contract, or Agreement is made and entered into by such Directors, as Directors of the said Company, and not for their individual Benefit or Advantage; and in case it shall be necessary to put any such Lease, Contract, or Agreement in Suit, either at Law or in Equity, then and in every such Case it shall and may be lawful for the Party instituting such Proceedings to make the Chairman, or any Three of the Directors of the said Company for the Time being, the Plaintiff or Defendant, as the Case may be, in the said Suit, although such Chairman or such Director may not be a Party to such Lease, Contract, or Agreement: Provided always, nevertheless, that no Suit shall

shall abate by reason of the Death, Resignation, or Disqualification of such Chairman, or any such Director or Directors: And provided always, that such Chairman and the said Directors, who shall so as aforesaid make or execute any Lease, Contract, or Agreement, shall in no Case be personally responsible to any Party for the Damage sustained by such Party by reason of a Breach on the Part of the said Company of any Covenant, Proviso, Undertaking, Matter, or Thing in any such Lease, Contract, or Agreement; but it shall and may be lawful for the Party entitled to take out Execution for and in respect of any Judgment obtained against such Chairman, or any such Director as aforesaid, to take out Execution and levy the Amount of his, her, or their Damages and Costs upon all Property whatsoever belonging to the said Company.

VII. And be it further enacted, That in all Cases wherein it may be necessary for any Person or Persons or Party or Parties to serve any Notice or Notices upon any Director or Directors of the said Company for or in respect of any Matter or Thing affecting the said Company, or any Writ or Writs or other legal Proceedings, the Service upon any Clerk, Officer, or known Agent of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on such Director or Directors of the said Company.

What shall be deemed a Service of Notices, &c. on the Company.

VIII. And be it further enacted, That all and every Judgment and Judgments at Law, and all and every Decree or Order in Equity, which shall at any Time after the passing of this Act be had or recovered in any Action, Suit, or Proceeding in Law or Equity, against any Chairman, Director or Directors of the said Company for the Time being, shall have the like Effect and Operation upon and against the Property of the said Company, as if such Judgment or Judgments, Decree or Order had been recovered or obtained against the said Company.

Judgments, &c. on Actions and Suits to extend to the Property of the Company.

IX. And be it further enacted, That a Memorial of the Names of the several Directors of the said Company, in the Form expressed in the Schedule hereunto annexed, shall be enrolled upon Oath in the High Court of Chancery in *England*, and also in the High Court of Chancery in *Ireland*; within Three Calendar Months next after the passing of this Act, and when any new Director or Directors shall be appointed, a Memorial thereof shall in like Manner, within Three Calendar Months afterwards, be enrolled as aforesaid, in the Form or to the Effect expressed in the said Schedule for that Purpose.

A Memorial of the Names of the Directors to be enrolled in Chancery.

X. Provided always, and be it further enacted, That the Directors of the said Company shall have full Power and Authority to reimburse themselves severally and respectively for all Loss, Damages, Costs, Charges, and Expences which they or any of them shall bear, sustain, or be put to by reason of any Matter or Thing to arise or happen in the Execution of this Act, out of all or any the Funds or Property of the said Company.

Directors to reimburse themselves Costs, Charges, &c.

XI. And whereas it was by the said in part recited Act enacted, that after the Entry of any Share in the Books of the Company, a Certificate, under the Hands of any Three or more of the Directors for the Time being of the said Company, should be delivered to every Proprietor on Demand, specifying the Share or Shares to which such Proprietor

Repeal of Mode of Transfer Clause in the recited Act.

was entitled in the said Company; and that it should be lawful for the several Members of the said Company, their Executors, Administrators, Successors, and Assigns, to sell and transfer any Share or Shares of which they should be respectively possessed, and every such Transfer of any such Share or Shares should and might be made by any Owner or Owners of such Share or Shares endorsing his, her, or their Name or Names on the Back of the Certificate of any such Share or Shares, and by delivering the same to such Person or Persons to whom the same were or should be intended to be transferred; and it was provided, that a Notice in Writing of such Transfer, specifying the Name, Place of Residence, and Profession of the new Proprietor or Proprietors, and signed as well by the Person or Persons transferring the same as by the Person or Persons to whom the same was intended to be transferred, signifying such Transfer, should forthwith be delivered to or left at the principal Office of the said Company in *London* or *Dublin*; and such Notice so signed as last aforesaid should be and be deemed obligatory on any such new Proprietor or new Proprietors, and he or they should be bound by all and singular the several Rules, Orders, and Restrictions, as any original Proprietor or Proprietors of any such Share or Shares would have been bound by, in case he, she, or they had been and remained a Proprietor or Proprietors of and in the said Company for any such Share or Shares, as fully and effectually to all Intents and Purposes as if no such Sale or Transfer had been made; and provided always, that no such Purchaser or Purchasers of any such Share or Shares, their Executors, Administrators, Successors, or Assigns, should be entitled to vote at any Meetings as Proprietor or Proprietors of the said Company, in respect of such Share or Shares, until the Expiration of Three Calendar Months after the Delivery of any such Notice as aforesaid: And whereas it is expedient that the same should be repealed; be it therefore enacted, That the same be and is hereby repealed: Provided always, nevertheless, that nothing herein contained shall extend, or be construed to extend, to invalidate any Transfer or Transfers of Shares in the said Company, which to the Time of the passing of this Act shall or may have been made in Manner and Form aforesaid.

Shares may be transferred.

XII. And be it further enacted, That it shall be lawful for the several Members of the said Company, their Executors, Administrators, Successors, and Assigns, to sell and transfer any Share or Shares of which they shall respectively be possessed; and every such Transfer shall be in the Form or to the Effect following; (that is to say),

Form of Transfer of Shares.

‘ I of in consideration of
 ‘ I paid to me by of do hereby
 ‘ bargain, sell, assign, and transfer to the said the
 ‘ Sum of Capital Stock of and in the Undertaking
 ‘ called *The Hibernian Mining Company*, being Shares in
 ‘ the said Undertaking; to hold to the said Executors,
 ‘ Administrators, and Assigns, subject to the same Rules, Orders, and
 ‘ Restrictions, and on the same Conditions that I held the same imme-
 ‘ diately before the Execution hereof; and I the said
 ‘ do hereby agree to accept and take the said Shares,
 ‘ subject to the same Rules, Orders, Restrictions, and Conditions. As
 ‘ witness our Hands and Seals this Day of
 ‘ in the Year of our Lord

And

And every such Transfer shall be deposited at the Office, and registered in the Books of the said Company in *London*, and a Memorial of such Register, signed by the Chief Clerk or other Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Sale, and received as such in all Trials before any Court in the United Kingdom; and that until such Transfer shall be registered in the Books of the said Company in *London* as aforesaid, no Purchaser or Purchasers of any Share or Shares, their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits or Advantages thereof, nor shall receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meetings as Proprietor or Proprietors of the said Company in respect of such Share or Shares, until the Expiration of Three Calendar Months after such Transfer shall have been registered.

Transfer to be registered

XIII. And whereas by the said recited Act it was enacted, that there should be held One General Meeting of the Proprietors of the said Company in the City of *Dublin*, or in some one of the Suburbs, Liberties, or Precincts thereof, within the Period of One Month next after the General Meeting of the said Company to be held on the Second *Monday* in the Month of *January* in every Year, or within Thirty Days thereafter: And whereas such last-mentioned Meeting is unnecessary and inexpedient; be it therefore enacted, That so much of the said recited Act as relates to the calling and holding a General Meeting of the Proprietors of the said Company in the City of *Dublin*, or in some One of the Suburbs, Liberties, or Precincts thereof, be and the same is hereby repealed: Provided always, that all and singular the Proceedings of all or any General Meeting of the Proprietors of the said Company, which shall have been held at any Time before the passing of this Act, shall be legal and effectual to all Intents and Purposes, any thing in the said recited Act or in this Act contained to the contrary thereof in anywise notwithstanding.

So much of recited Act as relates to holding a General Meeting of the Proprietors in *Dublin*, repealed.

XIV. And whereas in and by the said recited Act it was enacted, that Twenty-four of the said Proprietors should be and should be called the Directors of the said Company, and that Four other of the said Proprietors should be the Auditors and Examiners of Accounts of the said Company, and that Twelve of such Directors and Two of such Auditors and Examiners of Accounts should be and continue to be resident in *Ireland*, and form a Committee of Directors in *Ireland*; and that *Henry Alexander, Lesley Alexander, Thomas Alexander, Thomas Bainbridge, Archibald Billing, Thomas Barnewall, David Bevan, Joseph Hoare Bradshaw, John Williamson Fulton, Samuel Eustace Magan, Isaac Nicholson junior, and T. D. Rothwell*, being Residents in *England*, and *Richard Cane, John Conolly, George Drevar, William Harding, William Harkness*, the Right Honourable *George Knox, Peter Latouche junior, John O'Brien, Richard Palmer, Patrick Oliver Plunket, John Sweetman, and Thomas Wilson*, being Residents in *Ireland*, being Proprietors of and in the said Undertaking, should be Directors for managing the Affairs of the said Company; and that *Robert Bell* and *Michael William Troy*, Esquires, should be the first and present Auditors and Examiners of Accounts of the said Company in *England*, and *Thomas Crosthwaite, Stephen Grehan*, Esquires, should be the first and present Auditors and Examiners of Accounts in *Ireland*; and that the same Chairman, Deputy Chairman, Directors, and Auditors and Examiners

Repeal of certain Provisions relating to the Direction of the Company.

miners of Accounts respectively, should continue and hold their said several and respective Offices until the respective Times in the said recited Act mentioned, unless they or any of them respectively should die, resign, or cease to be qualified as therein mentioned; and that *Richard Way Cock* should be Clerk of the said Company in *England*, and *Hugh Hamill*, junior, the First Clerk to the Committee of Directors in *Ireland*: And whereas it was further enacted, that at the General Meeting to be holden on the Second *Monday* in the Month of *January* One thousand eight hundred and twenty-seven, or within Thirty Days thereafter, Eight of the said Twenty-four Directors, Four being resident in *Ireland*, should go out of the said Office of Director; and at the General Meeting to be held on the Second *Monday* in the Month of *January* which would be in the Year One thousand eight hundred and twenty-eight, or within Thirty Days thereafter, Eight other of the said Directors, Four being also resident in *Ireland*, should go out of the said Office of Director; and at the General Meeting which would be in the Year One thousand eight hundred and twenty-nine, the remaining Eight of the said first-named Directors should go out of the Office of Director; and that on the General Meeting to be holden in the Month of *January* which would be in the Year One thousand eight hundred and twenty-seven, or within Thirty Days thereafter, Two of the said Auditors and Examiners of the Accounts of the said Company, One being resident in *Ireland*, should go out of the said Office of Auditor and Examiner of Accounts; and that the other of them the said Auditors and Examiners of Accounts in *England* and *Ireland* respectively should continue in and hold their said Office and Offices respectively until the like General Meeting which would be in the Year One thousand eight hundred and twenty-eight, when they the said last-mentioned Auditors and Examiners of Accounts should go out of the said Office: And whereas it was further enacted, that at the General Meeting to be holden on the Second *Monday* in the Month of *January* which would be in the Year One thousand eight hundred and twenty-seven, or within Thirty Days thereafter, and at the like General Meeting in every succeeding Year, there should be an Election of Four Proprietors, qualified respectively in the Manner in the said recited Act mentioned, who should thenceforth be Four of the Directors of the Affairs of the said Company in *England* for Three Years next ensuing such their Election, unless they or either of them should die, resign, or cease to be qualified as therein is mentioned; with a Proviso, that at some convenient Time, not exceeding the Period of One Month after the General Meeting of the said Company to be holden in the Month of *January* in the Year One thousand eight hundred and twenty-seven, or within Thirty Days thereafter, and at a like convenient Time, not exceeding the Period aforesaid, after the like General Meeting in every Year thereafter, a Meeting of the Proprietors of the said Company should be held in the City of *Dublin*, or in some one of the Suburbs, Liberties, or Precincts thereof, for the Purpose of electing Four Proprietors, qualified respectively in the Manner therein mentioned, and usually resident in *Ireland*, to be Four of the Directors of the Affairs of the said Company in *Ireland* for Three Years next ensuing such their Election, and also to elect One other Proprietor also qualified in manner aforesaid, and usually resident in *Ireland*, to be One of the Auditors and Examiners of Accounts of the said Company for Two Years next ensuing such his Election, unless they, any or either of them respectively should die, resign, or become disqualified in manner therein mentioned; and with a further Proviso, that so often as

it should happen that any Director or Auditor and Examiner of Accounts, Clerk of the said Company in *England*, Clerk of the Committee of Directors in *Ireland*, should die, resign, or become disqualified to continue in or hold the said Offices or any of them, or in case any Directors or Auditors or Clerk of the said Company, so to be resident in *Ireland* as herein-before mentioned, should quit *Ireland* and go to reside in other Parts, a Special General Meeting of the Proprietors should be convened by the Directors of the said Company for the Time being, according to the Provisions of this Act, for the Purpose of electing some One or more Proprietor or Proprietors qualified as aforesaid to fill up such Vacancy or Vacancies, and exercise the said Office or Offices, or either of them respectively, for such Time and Times, and with the like Powers and Authorities as the Person or Persons so dying, having resigned or become disqualified, or being a Director or Auditor or Clerk, to be resident in *Ireland* as aforesaid, quitting the same, and going to reside in other Parts, would have done respectively if no such Vacancy as aforesaid had occurred; and with a further Proviso, that every future Election of a Director or Directors, or of an Auditor or Examiner of Accounts, to be resident in and to exercise the Duties of their or his respective Offices or Office in *Ireland*, and also of a Clerk to the Committee of Directors in *Ireland*, should take place and be made in the City of *Dublin*, or in some of the Suburbs, Liberties, or Precincts thereof: And whereas it is expedient that the several Provisions and Enactments above recited should be repealed; be it therefore enacted, That the same be and hereby are repealed accordingly.

XV. And be it further enacted, That *Henry Alexander, Lesley Alexander, Francis Beaufort, Archibald Billing, Thomas Barnewall, David Bevan, Joseph Hoare Bradshaw, George Bartley, Samuel Eustace Magan, Isaac Nicholson junior, William Henry Porter, Thomas Dutton Rothwell, John Conolly, George Drevar, the Right Honourable George Knox, Peter Latouche junior, John O'Brien, Richard Palmer, Patrick Oliver Plunket, John Sweetman, and Thomas Wilson*, shall, from the passing of this Act, being Proprietors in the said Undertaking, and duly qualified thereto, be Directors for managing the Affairs of the said Company; and that *Robert Bell* and *Edward Stewart junior*, shall be the Auditors and Examiners of Accounts of the said Company; and that the said Directors, and Auditors and Examiners of Accounts respectively, shall continue and hold their said several and respective Offices until the respective Times herein-after mentioned, unless they or any of them shall die, resign, or cease to be qualified as herein is mentioned.

Appointment
of Directors
and Auditors.

XVI. And be it further enacted, That the said Directors of the said Company shall continue in and hold the Office and Offices of Directors respectively, until the several Days and Manner herein mentioned; that is to say, that at the said General Meeting to be held on the Second *Monday* in the Month of *January* which will be in the Year One thousand eight hundred and twenty-seven, or within Thirty Days thereafter, on which Day Six of the said Twenty-one Directors shall go out of the said Office of Director, the same to be determined by Lot amongst the said Directors respectively; and at the General Meeting to be held on the Second *Monday* in the Month of *January* which will be in the Year One thousand eight hundred and twenty-eight, or within Thirty Days there-

Directors
and Auditors
how long to
continue in
Office.

[Local.]

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after,

after, Six other of the said Directors, to be determined by Lot, shall go out of the said Office of Director; and at the General Meeting which will be on the Second *Monday* in the Month of *January* in the Year One thousand eight hundred and twenty-nine, or within Thirty Days thereafter, the remaining Nine of the above-named Directors shall go out of the Office of Director; and that on the General Meeting to be holden in the Month of *January* One thousand eight hundred and twenty-seven, or within Thirty Days thereafter, One of the said Auditors and Examiner of Accounts of the said Company so named as aforesaid, to be determined by Lot between them, shall go out of the Office of Auditor and Examiner of Accounts; and that the other of them, the said Auditors and Examiners of Accounts, shall continue in and hold his said Office until the like General Meeting which will be in the Year One thousand eight hundred and twenty-eight, when the said last-mentioned Auditor shall go out of the said Office.

For Reduction of the Number of Directors.

XVII. And whereas it is expedient that the Number of Directors should in progress of Time be reduced to Twelve Directors; be it therefore further enacted, for the Purpose of reducing the Number of the Directors of the said Company to Twelve Persons and no more, That when and as any of the Directors of the said Company now appointed, or hereafter to be elected or re-elected, shall die, or resign the said Office of a Director, or shall become disqualified to hold such Office according to the Provisions of the said recited Act or of this Act, then and in every such Case, and until the Number of the Directors of the said Company for the Time being, by such Death, Resignation, or Disqualification, shall have been reduced to the Number of Twelve Directors, then at no General Annual Meeting of the said Company holden for the Election of the Directors and Officers of the said Company, nor at any other General Meeting of the said Company holden pursuant to the Provisions of the said recited Act, shall or may any Proprietor or Proprietors be elected to fill the Vacancy or Vacancies among the Directors of the said Company, occasioned by the Death, Resignation, or Disqualification of such Director or Directors so dying, resigning, or becoming disqualified as aforesaid, nor shall any Special General Meeting of the Proprietors be convened for the Purpose of electing some One or more Proprietor or Proprietors to fill such Vacancy or Vacancies so occasioned, but the said Company, at their General Annual Meeting, holden for the Election of Directors and other Officers of the said Company, shall only elect so many Proprietors duly qualified to be Directors of the said Company as, after deducting from the original Number of Twenty-one Directors authorized by this Act so many Vacancies as shall previously have arisen from Time to Time by the Death, Resignation, or Disqualification of any Directors of the said Company, shall make up the Number of the Directors of the said Company to the reduced Number occasioned by such Death, Resignation, or Disqualification of Directors as aforesaid; any Provision, Matter, or Thing in the said recited Act or in this Act contained to the contrary thereof in anywise notwithstanding.

Regulation of Directors when reduced in Number.

XVIII. And be it further enacted, That at the General Annual Meeting of the said Company, which shall be holden for the Election of Directors and other Officers of the said Company, pursuant to the Directions of the said recited Act, next after the Time when the Number of the Directors
of

of the said Company, by Death, Resignation, or Disqualification, shall be so as aforesaid reduced to Twelve Directors, and at the like General Annual Meeting of the said Company in every succeeding Year, there shall be an Election of Four Proprietors only, qualified respectively as in the said recited Act mentioned, who shall thenceforth be Four of the Directors of the Affairs of the said Company for Three Years next ensuing such their Election, unless they or either of them shall die, resign, or become disqualified as in the said recited Act or in this Act mentioned; any Provision, Matter, or Thing in the said recited Act or in this Act to the contrary notwithstanding.

XIX. And be it further enacted, That when and so soon as the Number of the Directors of the said Company shall be so as aforesaid reduced to Twelve Directors, the Number of Directors who shall annually go out of the said Office of Directors shall be Four Persons, to be determined by Lot as in the said Act is provided, until the General Annual Meeting which will be held on the Second *Monday* in the Month of *January*, or within Thirty Days after, in the Fourth Year next after the Number of Directors shall have been so as aforesaid reduced, and from and after that Period in regular Succession: Provided always, that from and after such Reduction of the Directors of the said Company to Twelve Directors, as herein is provided, then and so often as it shall happen that any of the Twelve Directors of the said Company for the Time being shall die, or resign, or become disqualified to continue in or hold the said Office, a Special General Meeting of the Proprietors shall be convened by the Directors of the said Company for the Time being, for the Purpose of electing some One or more Proprietor or Proprietors, qualified as in the said recited Act is mentioned, to fill such Vacancy or Vacancies, and exercise the said Office of a Director for such Time or Times, and with the like Powers and Authorities, as the Person or Persons so dying, having resigned, or become disqualified, would have done respectively if no such Vacancy as aforesaid had occurred, and in the Manner directed by the said recited Act.

For future Election of Directors when reduced in Number.

XX. And be it further enacted, That in case the Chairman, Deputy Chairman, or any Director for the Time being of the said Company, shall for Six successive Calendar Months neglect to attend the Meetings of the said Directors, or of some Committee thereof (without the Consent of Three of the Directors of the said Company at the least, which Consent shall be entered in the Books of the said Company), then every such Person, from and after the Expiration of every or any such Six Calendar Months from the Time of his last Attendance at the Meetings of the said Directors, or of some Committee thereof, shall cease to be a Director of the said Company, and be totally disqualified from acting as and being a Director of the said Company, and although the Term for which such Person shall have been appointed to be a Director of the said Company shall not then have elapsed; any Provision, Matter, or Thing in the said recited Act or this Act contained to the contrary thereof notwithstanding.

Disqualification of Directors neglecting to attend for Six Calendar Months.

XXI. And be it further enacted, That all Leases of Mines, Mine Works, Quarries, Pits, Holes, Beds, Veins, and other Bearings of Mines, Metals, Minerals, and other Matters and Products as aforesaid, made by any Person

Royalty or Rent may be taken in Execution.

Person or Persons in actual Possession of any Lands, Manors, or Hereditaments, or any Estate therein, to the Directors of the said Company, or any Five or more of them, their Successors or Assigns, shall, as against all Creditors by Judgment, Recognizance, Statute Staple, or Statute Merchant, be valid and effectual; provided the best improved Rent or Royalty that could be had for the said Mines, Mine Works, Quarries, Pits, Holes, Beds, Veins, and other Bearings of Mines, Metals, Minerals, and other Matters and Products as aforesaid, shall be reserved in the said Leases, and provided no Fine or Foregift shall have been taken upon the making thereof; and provided always, that no Writ of Elegit or Process of Custodiam shall be actually issued and in force against any such Lands, Manors, or Hereditaments, within the Space of Three Calendar Months next after the due and perfect Registration of any such Lease, according to the Law of that Part of the United Kingdom of *Great Britain and Ireland* called *Ireland*; and provided also, that such Creditor or Creditors shall and may, notwithstanding any thing herein contained, enter into Possession and Receipt of the Rent or Royalty reserved upon any such Lease, in like Manner as if the said Leases were made prior to the Recovery of the said Judgment or Execution of the said Recognizance, Statute Merchant, Statute Staple, or Mortgage.

Power to de-
pute Persons
to prove
Debts in
Cases of
Bankruptcy
or Insolvency.

XXII. And be it further enacted, That the Directors of the said Company shall be and they are hereby empowered, by any Writing under the Hands and Seals of Three or more of the said Directors, to appoint any Person or Persons to prove any Debt or Debts under any Commission of Bankruptcy, or under any Assignment to take place under the present Act for the Relief of Insolvent Debtors, or any future Act relative to Insolvent Debtors which may be issued against or may be made by any Debtor or Debtors to the said Company, and to sign the Certificate of any Bankrupt, and to revoke such Appointment, and from Time to Time to make any other Appointment, as the said Directors shall think fit.

Power to
dissolve the
Company.

XXIII. And be it further enacted, That Two successive General Meetings of the Company, specially called for the Purpose, shall have full Power, by concurring in a Resolution or Resolutions to that Effect, to dissolve the Company: Provided nevertheless, that at each such General Meeting there must be present at the Commencement of the Business, and when the whole or any Part of the Business to be transacted or agitated shall be decided on, One hundred or more Proprietors qualified to vote, and who shall hold amongst them not less than Two-thirds of the Votes of the Whole Number of qualified Proprietors who shall for the Time being hold Shares in the Capital of the Company: Provided also, that at each such General Meeting the Concurrence of qualified Proprietors holding Three-fifths of the Votes of the qualified Proprietors so present shall be requisite in order to come to a Decision; and that whenever Two such General Meetings shall have come to a Resolution to dissolve the Company, so much of the Funds or Property of the Company as shall not then consist of Money shall forthwith be sold, or otherwise converted into Money by the Committee of Directors; and with all convenient Speed after such Resolution so much of the Funds or Property of the Company as shall remain, after answering the Claims and Demands thereupon, shall be paid to and distributed by the Committee of Directors amongst the Proprietors or their respective Executors, Administrators, or

Successors,

Successors, in the Proportions in which they shall then be respectively entitled thereto; and immediately after the answering of the said Claims and Demands and such Payment and Distribution, the Company shall be dissolved.

XXIV. And be it further enacted, That the Powers, Provisions, Regulations, Directions, Restrictions, Matters, and Things whatsoever contained in the said recited Act, except so far as the same are expressly altered or repealed by this Act, shall be deemed, taken, and construed to extend and operate and be in full Force with respect to all Matters and Things whatsoever which may happen or arise in the Execution of this Act, as fully and effectually, to all Intents and Purposes, as if the same and every Part thereof were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Act and this Act shall, to all Matters and Things whatsoever except as aforesaid, be construed as One Act.

XXV. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act, shall be paid by the Directors of the said Company out of the joint Fund and Monies of the said Company.

XXVI. 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, without being specially pleaded.

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SCHEDULE referred to by this Act.

MEMORIAL of the Names of the Directors of the *Hibernian Mining Company*, to be enrolled pursuant to an Act passed in the Sixth Year of the Reign of His Majesty King *George the Fourth*, intituled *An Act to alter, amend, and enlarge the Powers of an Act of His present Majesty's Reign, intituled 'An Act to encourage the working of Mines in Ireland by means of English Capital, and to regulate a Joint Stock Company for that Purpose.'*

A. B. Clerk or Secretary to the above Company, maketh Oath and saith, That the above-written Memorial doth contain the Names of all the present Directors of the said Company.

MEMORIAL of the Appointment of a new Director [*or new Directors, as the Case may be,*] of the *Hibernian Mining Company*, to be enrolled pursuant to an Act passed in the Sixth Year of the Reign of His Majesty King *George the Fourth*, intituled *An Act to alter, amend, and enlarge the Powers of an Act of His present Majesty's Reign, intituled 'An Act to encourage the working of Mines in Ireland by means of English Capital, and to regulate a Joint Stock Company for that Purpose.'*

<i>C. D.</i> of	appointed	Day of
in the Room of		
<i>E. F.</i> of	appointed	Day of
in the Room of		

A. B. Clerk or Secretary to the above Company, maketh Oath and saith, That the above Memorial doth contain the Name or Names of the Director or Directors of the said Company appointed in lieu of formerly appointed.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1825.