



ANNO SEXTO

GULIELMI IV. REGIS.

Cap. xxvi.

An Act to enable *John Howard Kyan* to assign to a Company certain Letters Patent.

[19th May 1836.]

WHEREAS by Letters Patent under the Great Seal of *Great Britain*, bearing Date the Thirty-first Day of *March* One thousand eight hundred and thirty-two, His Majesty King *William* the Fourth did give and grant unto *John Howard Kyan*, therein described as of *South Row, Euston Square* in the County of *Middlesex*, but now of *Ailsa Park Cottage, Twickenham*, in the said County of *Middlesex*, Esquire, his Executors, Administrators, and Assigns, for the Term of Fourteen Years, the sole Benefit and Advantage of his Discovery of "a new Mode of preserving certain Vegetable Substances from Decay," 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*; but the said Letters Patent contain a Proviso for making void the same if the said *John Howard Kyan*, his Executors or Administrators, or any Person or Persons who should thereafter have or claim any Right, Title, or Interest of, in, or to the Privilege of the sole Use and Benefit of the said Invention, should make any Transfer or Assignment of the said Privilege, or any Share of the Profit or Benefit thereof, or should declare any Trust thereof, to or for any Number of Persons exceeding the Number of Five, or should open or cause to be opened any Book or Books for public Subscriptions to be made by any Number of Persons exceeding the Number of Five, in order to the raising any

Letters Patent for England, 31st March 1832.

[Local.]

7 Y

Sum

Letters Patent for England and the Colonies, 22d September 1832.

Letters Patent for Scotland, 1st August 1832.

Sum or Sums of Money under the Pretence of carrying on the said Privilege, or should, by him or themselves, or his or their Agents or Servants, receive any Sum or Sums of Money whatsoever of any Number of Persons exceeding in the whole the Number of Five for such or the like Intents or Purposes, or should presume to act as a Corporate Body, or should divide the Benefit of the said Letters Patent, or the Liberty and Privileges thereby granted, into any Number of Shares exceeding the Number of Five, or in case the said Privilege should at any Time thereafter become vested in or in Trust for more than the Number of Five Persons or their Representatives at any one Time (reckoning Executors or Administrators as and for the single Person whom they represent as to such Interest as they were or should be entitled in right of such their Testator or Intestate): And whereas by other Letters Patent under the Great Seal of *Great Britain*, bearing Date the Twenty-second Day of *September* One thousand eight hundred and thirty-two, His said Majesty did give and grant unto the said *John Howard Kyan*, his Executors, Administrators, and Assigns, for the Term of Fourteen Years, the sole Benefit and Advantage of his Discovery of "an improved Mode of preserving Paper, Canvass, Cloth, and Cordage for Ships, and other Uses, and the raw Materials of Hemp, Flax, or Cotton from which the same may wholly or in part be made," 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*, and also in all His Majesty's Colonies and Plantations Abroad; but the said last-mentioned Letters Patent contain a Proviso for making void the same if the same or the Liberties and Privileges thereby granted should at any Time thereafter become vested or in Trust for more than Twelve Persons or their Representatives at any one Time, as Partners dividing or entitled to divide the Benefits or Profits obtained by reason of the said Letters Patent (reckoning Executors and Administrators as and for the single Person whom they represent as to such Interest as they were or should be entitled to in right of such their Testator or Intestate): And whereas by Letters Patent bearing Date the First Day of *August* One thousand eight hundred and thirty-two, under the Seal appointed by the Treaty of Union to be used instead of the Great Seal of *Scotland*, His said Majesty did give and grant to the said *John Howard Kyan*, his Executors, Administrators, and Assigns, for the Term of Fourteen Years, the sole Benefit and Advantage of his Discovery of "a new Mode of preserving certain Vegetable Substances from Decay" within that Part of the United Kingdom of *Great Britain* and *Ireland* called *Scotland*; but the said last-mentioned Letters Patent contain a Proviso for making void the same if the said *John Howard Kyan*, his Executors, Administrators, or Assigns, or any other Person or Persons who at any Time or Times during the Term of the said Grant should or might have or claim any Right, Title, or Interest at Law or in Equity of, in, or to the Privilege of the sole Use and Benefit of the said Invention thereby granted, should make any Transfer or Assignment of the said Privilege, or of any Part or Parts of the Benefit or Profit thereof, to any Number of Persons exceeding the Number of Five, to the Intent that any Sum or Sums of Money might be raised under the Pretence of procuring the said Privilege, or by himself or themselves, his or their Agents or Servants, should receive any Sum or Sums of Money whatsoever from any Number of Persons exceeding the Number of Five with the same or the like Intent, or should presume to act as a Body

Politic,

Politic, or should divide the Benefit of the said Letters Patent, or the Liberty and Privileges thereby granted, into any Number of Parts exceeding the Number of Five, or should commit or do, or procure to be committed or done, any Act, Thing, or Matter whatsoever, during the Term in which the said Person or Persons should have any Interest whatsoever in Law or Equity in or to the Premises, which would be contrary to the true Intent and Meaning of a certain Act of Parliament of the Sixth George First, intituled *An Act for the better securing certain Powers and Privileges intended to be granted by His Majesty by Two Charters for Assurance of Ships and Merchandizes at Sea, and for lending Money upon Bottomry, and for restraining several extravagant and unwarrantable Practices therein mentioned*, if the said Letters Patent now in recital had not been granted, or if the said Privilege should be given in Possession or committed in Trust to more than the Number of Five Persons or their Representatives at any one Time (reckoning Heirs and Executors as and for the single Person whom they represent as to such Interest as they were or should be entitled to in right of such their Testator or Intestate): And whereas by Letters Patent, under the Great Seal of *Ireland*, bearing Date the Fifth Day of *November* One thousand eight hundred and thirty-two, His said Majesty did, for Himself, His Heirs and Successors, give and grant unto the said *John Howard Kyan*, his Executors, Administrators, and Assigns, and every of them, for the Term of Fourteen Years, the sole Benefit and Advantage of his Discovery of "a new Mode of preserving certain Vegetable Substances from Decay" within that Part of the United Kingdom of *Great Britain and Ireland* called *Ireland*, which said last-mentioned Letters Patent contain no Restriction as to the Number of Persons to whom the same may be assigned: And whereas by Letters Patent under the Great Seal of *Great Britain*, bearing Date the Eleventh Day of *February* One thousand eight hundred and thirty-six, His said Majesty did grant unto the said *John Howard Kyan*, his Executors, Administrators, and Assigns, for the Term of Fourteen Years, the sole Benefit and Advantage of his Discovery of "a new Mode of preserving certain Vegetable Substances from Decay" within all His Majesty's Colonies and Plantations Abroad; but the said Letters Patent contain a Proviso for making void the same, if the same, or the Liberties and Privileges thereby granted, should at any Time thereafter become vested in or in Trust for more than 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 (reckoning Executors and Administrators as and for the single Person whom they represent as to such Interest as they were or should be entitled to in right of such their Testator or Intestate): And whereas Descriptions of all the herein-before recited Inventions, and of the Manner in which the same are to be performed, have been duly enrolled pursuant to the Provisoes for that Purpose in the said Letters Patent severally contained: And whereas the said Discoveries and Inventions of the said *John Howard Kyan* consist in dipping, immersing, saturating, soaking, or steeping the various Substances to be preserved in a Solution of Corrosive Sublimate and Water, which Process requires the Erection of large and costly Tanks or Reservoirs, and that large Quantities of Corrosive Sublimate, which is an expensive Article of Commerce, should be dissolved in Water and placed in such State of Solution in the said Tanks or Reservoirs:

6 G. 1. c. 18.

Letters Patent for Ireland, 5th November 1832.

Letters Patent for the Colonies, dated 11th February 1836.

voirs: And whereas the said Discoveries and Inventions of the said *John Howard Kyan* will be of great public Advantage, Value, and Importance to Shipowners, Landlords, Tenants, Builders, Farmers, Manufacturers, and others, if Means are provided for facilitating the more general Use thereof by the Establishment of Tanks or Reservoirs of the said Solution, with proper Persons to attend the same, and by providing Apparatus for filling, emptying, and replenishing the same, in *London* and other principal Towns and Sea Ports, for the Preparation of Timber, Canvass, Cordage, and other Things particularly employed in the Construction and for the Use of Ships, and also by providing similar Tanks and Apparatus in central inland Situations for the Preparation of Timber (especially Green Timber) for Farm Buildings, Fences, Gates, and other Agricultural Purposes, and also by the Construction of large moveable Tanks for the Use of Engineers, Architects, and Builders engaged in Public Works and Buildings, and also for the Use of Proprietors of Wood and Forest Land for the prompt seasoning and Preservation of new-felled Timber, and also by the Construction of small portable Tanks for occasional private Use, and also by granting Licences to others to use the said Discoveries and Inventions; but these Objects, which are absolutely essential to the giving to the Public the full Advantage of the said Discoveries and Inventions, involve extensive Operations which a few Individuals cannot carry into effect, and which require a Capital greatly exceeding what the said *John Howard Kyan* has yet been able or can reasonably expect to obtain while any of his Patents are subject to such Restrictions as are herein-before recited: And whereas *Thomas Phillpotts, William Revell Vigers, Thomas Starling Benson, William Borradaile, George Borradaile, Charles Enderby, Francis Mills, Francis Sapte*, and others, being Persons of Capital, and being satisfied of the great Utility of the said 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 for that Purpose, have expressed to the said *John Howard Kyan* their Willingness, if the Sanction of Parliament can be obtained, to form a Company, to be called "The Anti-Dry Rot Company," for the Purpose of purchasing the said Patent, and of working and exercising the said Inventions and Discoveries, and the said *John Howard Kyan* is willing to assign the said several Letters Patent unto the said Company if he shall be authorized or enabled by Parliament to make such Assignment: And whereas 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 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 the said *Thomas Phillpotts, William Revell Vigers, Thomas Starling Benson, William Borradaile, George Borradaile, Charles Enderby, Francis Mills, Francis Sapte*, and all and every such Person or Persons, Body and Bodies Politic, Corporate, or Collegiate, who shall be or may from Time to Time become a Proprietor or Proprietors of any Share or Shares in the Undertaking hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company by the Name of "The Anti Dry Rot Company."

The Anti
Dry Rot
Company
formed.

II. And

II. And be it further enacted, That the said Company shall be established for the Purpose of purchasing the said Patents and exercising the said Inventions, and of preparing, dipping, immersing, saturating, soaking, or steeping in a Solution of Corrosive Sublimate all Kinds of Wood or Timber used for Ship or other building, as also for Carpenters, Wheelwrights, Turners, and Cabinet Work, and also Paper, Canvass, Cloth, and Cordage for Ships and other Uses, and the raw Material of Hemp, Flax, or Cotton from which the same may wholly or in part be made, in the Manner and according to the Process or Processes discovered or invented by the said *John Howard Kyan* as aforesaid, and also for making and erecting Tanks or Reservoirs, stationary and moveable, in various Parts of the United Kingdom, in which to carry on the said Process or Processes, and also for the Appointment of proper Persons to attend and conduct the same, and also to grant Licences to others to use the said Discoveries or Inventions, under such Limitations and Restrictions as the said Company shall think fit.

Purposes of
the Com-
pany.

III. And be it further enacted, That it shall and may be lawful to and for the said *John Howard Kyan*, his Executors, Administrators, and Assigns, after the passing of this Act, to make and execute unto the said Company a Transfer and Assignment of the said Five herein-before recited Letters Patent, and all Benefits and Advantages thereof respectively, together with the full Benefit of all Licences which have been or shall be before the passing of this Act granted by the said *John Howard Kyan*, his Executors, Administrators, or Assigns, to any Person or Persons, Body or Bodies Politic or Corporate, Company or Companies whatsoever, for the Use of the said Invention; and such Transfer and Assignment of the said Letters Patent, and all Benefit of such Licences, shall be good, valid, and effectual to all Intents and Purposes, and shall not render void the said Patents nor any of them, any Proviso or Restriction contained in the said Letters Patent or any of them to the contrary thereof in anywise notwithstanding.

John How-
ard Kyan
may assign
the Letters
Patent to or
in Trust for
the Com-
pany.

IV. And be it further enacted, That after the said Transfer or Assignment shall have been made as aforesaid it shall and may be lawful for the said Company to use and exercise the said Discoveries and Inventions of the said *John Howard Kyan* in such and the same Manner, to all Intents and Purposes whatsoever, as the said *John Howard Kyan*, his Executors, Administrators, and Assigns, would have been entitled to do under the said respective Letters Patent in case the said herein-before recited Provisoes or Conditions had not been inserted in the said Letters Patent respectively, and that the said Letters Patent respectively shall henceforth be construed and considered in such and the same Manner, to all Intents and Purposes whatsoever, as if the said recited Provisoes or Conditions therein respectively contained had not been inserted in the said Letters Patent.

Company,
after Assign-
ment, to
have all the
Rights and
respective
Patents;

V. And be it further enacted, That after the said Transfer or Assignment shall have been made as aforesaid it shall and may be lawful for the said Company to grant Licences to any Person or Persons to use and exercise the said Discoveries and Inventions of the said *John Howard Kyan* generally, or within certain limited Districts, and under such Restrictions

and enabled
to grant Li-
cences for
the Use of
the said Dis-
coveries.

as to other Persons within the same District as to the said Company shall seem fit.

Company
may sue and
be sued in
the Name of
the Secre-
tary.

VI. 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 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 the Person who shall be the Secretary of the said Company, at the Time such Action, Suit, or Proceeding shall be commenced or instituted, as the nominal Plaintiff or Petitioner 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, shall be commenced, instituted, and prosecuted against the said Secretary for the Time being, and if and when there shall be no such Secretary, then against One of the Directors 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 such Secretary 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 Anti Dry Rot 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 Anti Dry Rot 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 such Secretary; and the Death, Resignation, or Removal of such Secretary, or any other Act or Proceeding of such Secretary done without the Consent of the said Company, shall not abate or render defective any such Action, Suit, Proceeding, or Prosecution.

VII. And

VII. And be it further enacted, That no Action which may be commenced against the Secretary or other Member of the said Company by virtue of this Act, upon or arising out of any Contract entered into by or on behalf of the said Company, shall be in anywise affected or defeated by or by reason of the Plaintiff or Plaintiffs therein, or of any other Person or Persons in whom any Interest may be averred, or who may be in anywise interested or concerned in such Action, being a Member or Members of the said Company; but any Member or Members of the said Company shall and may have the same Right of Action and Remedy, to be proceeded in and enforced in the same Manner against the said Company, or the Secretary or other Member thereof, upon any Contract, and upon and for any Debt, Damages, or Demand whatsoever, which he or they might have had if he or they had been a Stranger or Strangers; and not a Member or Members of the said Company.

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 commenced by or on behalf of the said Company in the Name of the Secretary or other Member thereof, by virtue of this Act, upon or arising out of any Contract entered into by or on behalf of the said Company, or for Recovery of any Debt or Demand whatsoever due or owing to the said Company, shall be in anywise affected or defeated by or by reason of the Defendant or Defendants therein, or of any other Person or Persons for whom or on whose Account any such Contract shall be effected, or who may be in anywise liable to be sued in such Action, being a Member or Members of the said Company; but the said Company shall and may have the same Right of Action and Remedy, to be proceeded in and enforced in the same Manner against any Member or Members thereof, either alone or jointly with any other Person or Persons, upon any Contract, and upon and for any Debt or Demand whatsoever, which the said Company might have had if such Cause of Action had arisen with 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 a Memorial of the Names and Descriptions of the Secretary, and of the several Persons being Members of the said Company, in the Form for that Purpose expressed in the Schedule hereunto annexed, shall be enrolled upon Oath in the High Court of Chancery within Twelve Calendar Months after the passing of this Act; and when any new Secretary 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 shall in like Manner be enrolled as aforesaid, within Twelve Calendar Months afterwards, in the Form or to the Effect expressed in the said Schedule for that Purpose.

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

X. 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 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.

XI. Pro-

Execution upon any Judgments may be issued against any Member of the Company.

XI. Provided always, and be it further enacted, That Execution upon any Judgment in any such Action as aforesaid, obtained against the Secretary or any Member for the Time being of the said Company, whether as Plaintiff or Defendant, may be issued against any Member or Members for the Time being of the said Company: Provided always, that every such Secretary or Member in whose Name any such Action or Suit shall be commenced, prosecuted, or defended, and every such Member or Members against whom Execution upon any Judgment obtained in any such Action shall be issued as aforesaid, or as herein-after is mentioned, shall always be reimbursed and paid out of the Funds of the said Company all such Costs and Charges as by the Event of any such Proceedings he, she, or they shall be put unto or become chargeable with: Provided also, that in case such Execution against the Member or Members for the Time being of the said Company shall be ineffectual for obtaining Payment and Satisfaction for the Sum or Sums sought to be recovered thereby, it shall be lawful for the Party or Parties so having obtained Judgment against the Secretary or any Member for the Time being of the said Company to issue Execution against any Person or Persons who was or were a Member or Members of the said Company at the Time the Contract was entered into upon which such Action may have been brought, but no such Execution as last mentioned shall be issued without Leave first granted in open Court by the Court in which such Action may have been brought, upon Motion to be made on Notice to the Person or Persons sought to be charged, nor after the Expiration of Six Years next after any such Person or Persons shall have ceased to be a Member or Members of the said Company.

Judgments and Actions against the Secretary or a Member shall extend to the Property of the Company.

XII. And be it further enacted, That all and every Judgment and Judgments, Decree or Decrees, 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 the Secretary of the said Company or any Member thereof, shall have the like Effect and Operation upon and against the Property of the said Company as if such Judgment or Judgments, Decree or Decrees, had been recovered or obtained against the said Company in any Action, Suit, or Proceeding in Law or Equity brought or commenced against the said Company by or in the several and distinct Names and Descriptions of the several Members or Proprietors, and as if this Act had not been passed; and further, that the Bankruptcy, Insolvency, or stopping Payment of the Secretary or such Member for the Time being of the said Company in his or their individual Character or Capacity shall not be or be construed to be the Bankruptcy, Insolvency, or stopping Payment of the said Company; and the Capital Stock and Effects thereof, notwithstanding the Bankruptcy, Insolvency, or stopping Payment of any such Secretary or Member, shall be attached or attachable, and be in all respects liable to the lawful Claims and Demands of the Creditor or Creditors thereof, in like Manner as if no such Bankruptcy, Insolvency, or stopping Payment of the said Secretary or Member of the said Company had happened or taken place.

Actions when pleadable in Bar.

XIII. Provided always, and be it further enacted, That no Person or Persons, Bodies Politic or Corporate, having or claiming to have any Demand upon or against the said Company, shall, when the same has been

been so determined as to have been pleadable in bar against such Person or Persons, Bodies Politic or Corporate, bring more than One Action in respect of such Demand; and the Proceedings in any Action against the Secretary or any One of the Directors for the Time being of the said Company under the Authority of this Act, if so determined, may be pleaded in bar of any Action or Actions for the same Cause against any other Secretary or Director of the said Company: Provided also, that the said Company having or claiming to have any Demand upon or against any Person or Persons, Bodies Politic or Corporate, shall, when the same shall have been so determined in the Manner authorized by this Act as to be pleadable in bar against the Person bringing the Action in respect of such Demand, shall not bring any other Action in respect of such Demand; and the Proceedings in any such Action by the Secretary or any One Director for the Time being of the said Company under the Authority of this Act may, if so determined, be pleaded in bar of any Action or Actions for the same Cause by any other Secretary or Director of the said Company or by the said Company.

XIV. 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 Anti Dry Rot Company" at all Times during the Continuance of the same, whether the said Company hath been heretofore or 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.

Act to apply to all future Members of the Company.

XV. 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.

XVI. And be it further enacted, That the Capital or Joint Stock of the said Company shall be considered as consisting of the Sum of Two hundred and fifty thousand Pounds divided into Ten thousand Shares of Twenty-five Pounds each.

Capital of the Company.

XVII. And be it further enacted, That all Shares in the said Undertaking, and in the Profits and Advantages thereof, shall be and be deemed to be Personal Estate, and as such shall be assignable and transmissible accordingly.

Shares to be Personal Estate.

XVIII. And be it further enacted, That the several Persons who shall subscribe for and towards the said Undertaking, and who shall at any Time hereafter have or hold any Share or Shares in the same, shall and

For enforcing the Payment of Calls.

[Local.]

8 A

they

they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed or which have been subscribed for or on account of the said Share or Shares, or such Parts or Portions thereof as shall from Time to Time be called for pursuant to the Powers and Directions of this Act; at such Times and Places, to such Person or Persons, and in any such Manner as shall be ordered and directed by the Directors of the said Company for the Time being; and in case any Person or Persons shall neglect or refuse to pay any such Money at such Time or Times and in such Manner as shall be ordered and directed by the said Directors as aforesaid, it shall be lawful for the said Company, in the Name of the Secretary for the Time being, to sue for and recover the same by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from the appointed Time or Times of Payment, and full Costs of Suit, from such Person or Persons respectively, and in like Cases of Neglect or Refusal where Two or more Persons shall have jointly subscribed for or be jointly possessed of One or more Share or Shares in the said Undertaking, then in like Manner to sue for and recover the same from all or any of such joint Subscribers.

Shares to be registered, and Certificates delivered.

XIX. And be it further enacted, That the said Company or the Directors thereof shall and they are hereby required to provide and keep a Book or Books, and to enter or cause to be entered therein the Names and Designations of the several Persons or Parties who have subscribed or who shall hereafter subscribe for any Share or Shares in the said Undertaking, and of every Person entitled to any Shares or Share therein, making a separate Entry of each Share; and such Shares shall be numbered, beginning with Number One, and proceeding in arithmetical Progression ascending, whereof the common Excess or Difference shall always be One through the whole Number of Shares, and every such Share shall always be distinguished by the Number so to be applied to the same; and after the making of such Entries a Certificate shall be made out in respect of every Share in the said Undertaking, specifying therein the proper Number of such Share, and the Name and Designation of the Proprietor or Proprietors thereof; and every such Certificate shall be delivered to the Proprietor of such Share or Shares, his or her Executors, Administrators, or Assigns, upon Demand, and may be in the Words or to the Effect following; (that is to say,)

Form of Certificate.

‘ Anti Dry Rot Company.

‘ Number

‘ THESE are to certify, That of
 ‘ is a Proprietor of the Share Number of the Capital
 ‘ or Joint Stock of the Anti Dry Rot Company, subject to the Provisions
 ‘ of the Deed of Settlement, and to the Rules, Regulations, and Orders
 ‘ of the said Company, and that the said his or her
 ‘ Executors, Administrators [*or their Successors*], and Assigns, is and are
 ‘ entitled to such Proportion of the Profits and Advantages arising or to
 ‘ arise to the said Company as shall belong to such Share. As witness
 ‘ my Hand, dated the Day of

And such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or, her Executors, Administrators,

trators, and Assigns, to the Share therein specified, and to the Profits and Advantages accruing in respect of the same, but the Want of such Certificate shall not deprive any Proprietor or Proprietors of any Share or Shares in the said Undertaking of his, her, or their Right or Interest in or Claim to a due Proportion of the Profits and Advantages of the said Undertaking, nor hinder or prevent the Proprietor or Proprietors of any such Shares from selling or disposing of any such Share or Shares; and in case such Certificate shall not be produced, or forthcoming, the said Entry, or a true Copy thereof, certified by the Secretary of the said Company, shall be deemed *prima facie* Evidence of the Title thereto.

XX. And be it further enacted, That it shall be lawful for the several and respective Proprietors of any Share or Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, to sell and transfer by Writing duly stamped any Share or Shares of which they shall respectively be possessed; and every such Transfer may be in the Form or to the Effect following; (that is to say,)

Shares may be sold.

‘ I [or We] of in
 ‘ consideration of paid to me [or us]
 ‘ by of do hereby
 ‘ bargain, sell, and transfer to the said the Sum
 ‘ of Part of the Capital or Joint Stock of
 ‘ the Anti Dry Rot Company, being my [or our] Share [or Shares]
 ‘ Number in the Capital or Joint Stock and Property and
 ‘ Effects of the said Company, to hold to the said
 ‘ Executors, Administrators, and Assigns, subject to the Provisions of the
 ‘ Deed of Settlement, and to the Rules, Regulations, and Orders of the
 ‘ said Company, and on the same Conditions that I [or we] held the
 ‘ same immediately before the Execution hereof; and I [or we] the said
 ‘ do hereby agree to take and accept the said Share
 ‘ [or Shares], subject as aforesaid. As witness my Hand and Seal [or our
 ‘ Hands and Seals] this Day of in the
 ‘ Year of our Lord

Form of Transfer.

XXI. And every such Transfer, executed by all the Parties thereto, shall be exhibited to the said Company or their Secretary, to be filed by the said Secretary, and kept for the Use of the said Company; and every such Transfer shall be registered in the Books of the said Company by an Entry of the Date of such Registry and the Date of such Transfer, together with the Names of the Parties thereto, and the Number of the Share or Shares transferred; and a Copy of such Registry or Entry, signed by the Secretary to the said Company, shall be sufficient Evidence of every such Sale and Transfer, and shall be received as such in all Disputes and in all Trials before any Judges, Justices, and others: Provided always, that until such Transfer shall be so entered or registered in the Books of the said Company no Purchaser or Purchasers of any Share or Shares, his, her, or their Executors, Administrators, Successors, or Assigns, shall have any Part or Share in the said Undertaking, or the Profits and Advantages thereof, nor shall receive any Interest or Dividend for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of or in the said

Transfers to be registered.

No Share to
be sold after
a Call till the
Money is
paid.

said Undertaking : Provided also, and be it further enacted, That after any Call for Money shall have been made by virtue of this Act no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after the Day appointed for the Payment of the said Call, until the Money called for in respect of his, her, or their Share or Shares intended to be sold shall be paid, together with the Interest, if any, due thereon ; and unless such Money so called for, with Interest as aforesaid, shall be paid, every such Sale or Transfer of any Share or Shares shall be void, and such Share or Shares shall be liable to Forfeiture, as if no such Sale or Transfer had been made.

As to Proprie-
torship of
joint Shares.

XXII. And be it further enacted, That whenever several Persons shall be jointly possessed of or entitled to any Share in the said Undertaking, the Person whose Name stands first on the Books of the said Company as Proprietor of such Share shall, for all Purposes of Notices and voting, be deemed the Proprietor of such Share.

Public Act.

XXIII. 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.

The SCHEDULE referred to in this Act.

MEMORIAL made the _____ Day of _____ of the
 Names of the present Chairman, Deputy Chairman, Directors,
 Secretary, and Members of "The Anti Dry Rot Company,"
 enrolled pursuant to Act of Parliament passed in the Sixth
 Year of the Reign of His Majesty King William the Fourth,
 intituled "An Act to enable John Howard Kyan to assign to a
 Company certain Letters Patent."

<i>A. B.</i> of	}	Chairman.
<i>C. D.</i> of		Deputy Chairman.
<i>E. F.</i> of	}	Directors.
and		
<i>G. H.</i> of		
<i>I. J.</i>	}	Secretary.
<i>K. L.</i>		Proprietors.
<i>M. N. &c.</i>		

A. B., one of the Directors [*or* Secretary] of the said Company, maketh
 Oath, That the above-written Memorial doth contain the Names of the
 present Chairman, Deputy Chairman, Directors, Secretary, and of all the
 present Proprietors of the said Company, as the same appear in the Books
 of the said Company.

A. B. Sworn

MEMORIAL made the _____ Day of _____ of the
 Names of the new Chairman, Deputy Chairman, [*or* Directors
or Secretary] of "The Anti Dry Rot Company," and of the
 Persons in whose Places they have [*or* he has] been appointed
 or enrolled, pursuant to an Act passed in the Sixth Year of the
 Reign of His Majesty King William the Fourth, intituled "An
 Act to enable John Howard Kyan to assign to a Company
 certain Letters Patent."

E. F. of _____ in the Place of *A. B.* of _____
G. H. of _____ in the Place of *C. D.* of _____

E. F. of _____ one of the Directors [*or* Secretary] of the
 said Company, maketh Oath and saith, That the above-written Memorial
 contains the Names of the new Chairman, Deputy Chairman [*or* Directors
or Secretary] of the said Company, and of the Persons in whose Place
 they have [he has] been appointed, as the same appear in the Books of the
 said Company.

E. F. Sworn

N. B.—The last Memorial as to the new Directors [*or* Chairman,
 Deputy Chairman, *or* Secretary] was enrolled on the
 Day of _____ One thousand eight hundred and _____

6° GULIELMI IV. *Cap. xxvi.*

MEMORIAL made the _____ Day of _____ of the
 Names of the Persons who have ceased or discontinued to be
 Members of "The Anti Dry Rot Company" since the
 Day of _____ being the Date of the Memorial last
 registered respecting the Members of the said Company,
 enrolled pursuant to an Act passed in the Sixth Year of the
 Reign of His Majesty King William the Fourth, intituled "An
 Act to enable John Howard Kyan to assign to a Company
 certain Letters Patent."

A. B. of _____

E. F. of _____ one of the Directors [*or Secretary*]
 of the said Company, maketh Oath and saith, That the above Memorial
 doth contain the Name or Names of the Persons who have ceased or
 discontinued to be Members of the said Company since the
 Day of _____

E. F.

Sworn

MEMORIAL made the _____ Day of _____ of the
 Names of the Persons who have become new Members of
 "The Anti Dry Rot Company" since the
 Day of _____ One thousand eight hundred and
 being the Date of the Memorial last registered respecting new
 Members of the said Company, enrolled pursuant to an Act
 of Parliament passed in the Sixth Year of the Reign of His
 Majesty King William the Fourth, intituled "An Act to enable
 John Howard Kyan to assign to a Company certain Letters
 Patent."

J. K. of _____

L. M. of _____

A. B. of _____ one of the Directors [*Secretary*] of
 the said Company, maketh Oath, That the above Memorial doth contain
 the Names of the Persons who have become new Members of the said
 Company since the _____ Day of _____ One thousand
 eight hundred and _____

A. B.

Sworn

MEMORIAL made the _____ Day of _____ of the
 Names of the new Chairman, Deputy Chairman, and Directors
 of the Company called "The Anti Dry Rot Company," and
 of the Persons in whose Place they have respectively been
 appointed, and of the Names of the Persons who have ceased
 or discontinued to be Members of the said Company, and of
 the new Members of the said Company, enrolled pursuant to
 an Act passed in the Sixth Year of the Reign of His Majesty
 King William the Fourth, intituled "An Act to enable John
 Howard Kyan to assign to a Company certain Letters Patent."

Names of the new Directors, and of the Persons in whose Places they
 have been appointed:

E. F. of _____

in the Place of *A. B.* of _____

G. H. of _____

in the Place of *C. D.* of _____

Names

Names of the Persons who have ceased to be Members.

A. B. of
C. D. of

Names of the new Members-

J. K. of
L. M. of

E. F. of _____ one of the Directors [*or* Secretary] of the said Company, maketh Oath, That the above-written Memorial doth contain the Names of the new Chairman, Deputy Chairman, and Directors of the said Company, and of the Persons in whose Places they have been appointed, and of the Persons who ceased to be Members of the said Company, and of the new Members of the said Company, as the same respectively appear in the Books of the said Company.

E. F. Sworn

N.B.—The last Memorial as to new Chairman and Deputy Chairman was enrolled on the _____ Day of _____ One thousand eight hundred and _____

The last Memorial as to new Directors was enrolled on the _____ Day of _____ One thousand eight hundred and _____

The last Memorial as to the Retirement of Members was enrolled on the _____ Day of _____ One thousand eight hundred and _____

The last Memorial as to new Members was enrolled on the _____ Day of _____ One thousand eight hundred and _____

