



ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

Cap. lxxix.

An Act to encourage the working of Mines and Quarries in *Ireland*, and to regulate a Joint Stock Company for that Purpose, to be called "The West *Cork* Mining Company."

[27th *June* 1834.]

WHEREAS that Part of the United Kingdom called *Ireland* abounds in very valuable Mines and Minerals, consisting chiefly of Copper Ore and Iron Ore, Slate, Manganese, Free Stone, Paving Stone, and other Matters and Products, the several Mines, Quarries, Pits, Veins, and other Bearings whereof have not been worked for Want of a sufficient Capital, and the same cannot be so worked to Advantage to the Public without a large Capital: And whereas it would be of great public Advantage to that Part of the said United Kingdom called *Ireland*, and particularly to the Labouring Classes thereof, that a Joint Stock Company should be established for the Purpose of working the said Mines, Quarries, Pits, Veins, and other Bearings, and of raising and making merchantable the Copper, Lead, Iron, Coal, and other Minerals and Metallic Substances, and also the Manganese, Slate, Gypsum, Fullers Earth, Potters Clay, and other Matters and Products which may be extracted therefrom: And whereas the several Persons herein-after named are desirous, at their own Costs and Charges, to effect the Purposes aforesaid, and have entered into a Subscription towards raising a Sum as a Joint Stock or Fund for the Purpose of working certain Copper Mines and Slate Quarries situate in the County of *Cork* in *Ireland* to or in which they are or may hereafter become possessed, entitled, or interested, and any other Mines or Works in *Ireland* of, to, or in which they may be-

[*Local.*]

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Subscribers
formed into
a Joint
Stock Com-
pany.

come seised, possessed, entitled, or interested, and for the Purpose of smelting the Ores to be raised from any of the said Mines, and selling the same, or of otherwise preparing for Sale and selling the Ore, Metals, Minerals, and Products to be raised therefrom, and for all the Purposes incident to or connected with the said Mines and Premises, or the Business aforesaid; and as such beneficial Purposes cannot be carried completely into execution 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 the Right Honourable *George John Thicknesse* Lord *Audley*, *Edward Southwell Ruthven*, *Joseph Pike*, *Samuel Jacob*, *William Webb Ellis*, *Joseph Jackson*, *Thomas Pike*, *Jonathan Clark*, *Richard Warneford*, *James Hammon*, *George Prickett*, *John Harrison*, *John Coles Fourdrimer*, *Thomas M Shadwell*, *William Hall*, *Augustine Styles*, *Jeremiah Burroughs*, *Edward Cooke Bourne*, *Thomas Roberts*, *John Charles Crook*, *James Gildart*, *Charles Frazer*, *James Edgington*, *John Walker*, *Thomas Pulling*, *William Shaw*, *William Freeman*, *Thomas B Jarvis*, *Ralph B Hankin*, *Richard Rose*, *Robert Forster*, *George Rooke*, *Harriet Elizabeth Winstanley*, *H W Fourdrimer*, *E W George*, *Joseph Pike senior*, *John Davis*, and *William Eagle*, and their several Executors, Administrators, and Assigns, and all other Person and Persons, Bodies and Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, who shall, according to the Restrictions herein-after set forth, be possessed of any Part of the Joint Stock herein-after mentioned, their several and respective Executors, Administrators, Successors, and Assigns, (so long as they respectively, or their respective Executors, Administrators, Successors, or Assigns, shall hold Shares in the said Joint Stock, and no longer,) shall have full Power and Authority from Time to Time and at all Times hereafter to search for and work, all such Mines and Mine Works, Quarries, Pits, Beds, Veins, and other Bearings of Copper, Iron, or Coal, and other Mineral Matters and Products in that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, as they or any of them have or may become seised, possessed of, entitled to, or interested in; and to smelt the Ores to be raised from any of the said Mines, Mine Works, Quarries, and Premises, and to make Pig, Bar, and other Iron, and to sell the same, or otherwise prepare for Sale and sell the Ores, Metals, Coals, Minerals, Matters, and Products to be raised or gotten from the said Mines, Mine Works, Quarries, and Premises, or any of them, and to transact all other Business incident to or connected with the said Mines, Mine Works, Quarries, and Premises, and the working of the same; and for the Purposes aforesaid to dig, delve, sink, drive, work, and make such Pits, Shafts, Adits, Levels, Soughs, Tunnels, and other Workings as they shall think necessary and proper; and to make, erect, and use any Steam or other Engines, Windlasses, Cranes, Whims, Ropes, Ladders, Tools, Tackle, Materials, Machinery, and other Conveniences, and to dig and raise Clay for making and burning of Bricks, Tiles, Gutters, and Ridges, or any other Matters, and to erect and build any Erection or Buildings, and to make Charcoal or Coke; and also to make and use all convenient Roads, Railways, and other Ways, and to do all other necessary or convenient Acts and Things for discovering, raising, working, converting, bringing to gross, smelting, spalling, dividing, dress-

ing, warehousing, wharfing, shipping, and making merchantable and selling any such Ores, Metals, Coals, Minerals, or other Matters or Products, or otherwise, in or about the Premises; and shall for those Purposes be a Joint Stock Company by the Name and Description of "The West Cork Mining Company."

II. Provided always, and be it further enacted, That the said Company, in carrying on the Works necessary in the Execution of this Act, shall do or cause to be done as little Damage, Trespass, and Injury as may be, and shall make Satisfaction for all and every Damage, Trespass, and Injury that shall or may arise or happen to the Owners or Occupiers of the Surface Soil not belonging to the said Company: Provided always, that nothing in this Act contained shall extend or be construed to extend to authorize the said Company to enter into or to take or use the private Estate or Property of any Person or Persons whomsoever without the Licence or Authority of the Owners thereof.

Company to do as little Damage as possible, and not to enter on Private Property.

III. And be it further enacted, That all Actions, Suits, and Proceedings, whether at Law or in Equity, or otherwise, to be commenced, instituted, and prosecuted or carried on by or on behalf of the said Company, 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 of the said Company or not, shall and lawfully may be commenced, instituted, and prosecuted or carried on in the Name of the Person who shall be for the Time being the Managing Director of the said Company, or in the Name of any one Director for the Time being of the said Company, as the nominal Plaintiff or Party proceeding for and on behalf of the said Company; and that all Actions, Suits, and Proceedings, whether at Law or in Equity or otherwise, to be commenced, instituted, and prosecuted or carried on against the said Company by or on behalf of 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 of the said Company or not, shall and lawfully may be commenced, instituted, and prosecuted or carried on against the Person who shall be for the Time being such Managing Director, or against any one Director for the Time being of the said Company, as the nominal Defendant or Party proceeded against for and on behalf of the said Company; and that all Prosecutions to be commenced, instituted, or carried on, by or in behalf of the said Company, against any Person or Persons, for Embezzlement, Robbery, or stealing of the Monies, Goods, Effects, or Property of the said Company, or for Fraud upon or against the said Company, or for any other Crime or Offence committed against or with Intent to injure or defraud the said Company, shall and lawfully may be so commenced or instituted and carried on in the Name of such Managing Director or any such Director for the Time being of the said Company; and in all Indictments and Informations to be had or preferred by or on the Part of the said Company it shall be lawful to state the Monies, Goods, Effects, or Property of the said Company to be the Monies, Goods, Effects, or Property of such Managing Director or Director for the Time being of the said Company; and any Crime or Offence committed against or with Intent to injure or defraud the said Company shall and lawfully may, in such Indictments or Informations, be laid or stated to have been committed against or with Intent to injure or defraud such Managing Director or Director for the Time

Company to sue and be sued in the Name of the Managing Director or a Director.

Time being of the said Company, and any Offender or Offenders may thereupon be lawfully convicted of any such Crime or Offence; and in all other Indictments, Informations, Allegations, or other Proceedings, at Law or in Equity or otherwise, in which it would otherwise 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 Managing Director or Director; and no Action, Suit, or other Proceeding to be commenced, instituted, and prosecuted or carried on by or against the said Company, by virtue of this Act, in the Name of such Managing Director or Director, shall abate or be discontinued or prejudiced by the Death, Resignation, Removal, or Disqualification of such Managing Director or Director, or by any Act of such Managing Director or Director, but the Managing Director, or any one Director of the said Company for the Time being as aforesaid, shall always be deemed the Plaintiff or Party proceeding, or (as the Case may be) the Defendant or Party proceeded against, for or on behalf of the said Company, in such Action, Suit or Proceeding.

Power to the Directors of Company to take Mines.

IV. And be it further enacted, That it shall and may be lawful to and for the Directors of the said Company, or any Three or more of them, at any Board or Meeting of the Directors of the said Company of which Seven clear Days Notice shall have been given to all the Directors by the Secretary 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 reservable or not, or for any other Estate in Fee or otherwise, so far as may not be repugnant to the Statute or Statutes of Mortmain, or upon Contract or Licence for the Benefit of the said Company, for the Purposes aforesaid, any Mines, Quarries, Pits, Veins, and other Bearings of Copper or Iron Ore, Coal, and other Minerals, Matters, and Products as aforesaid; or any Land or Estates whatsoever in that Part of the United Kingdom of *Great Britain and Ireland* called *Ireland*, and also so much of the Surface Soil of, upon, over, or adjacent to any such Mines, Quarries, Pits, Veins, or other Bearings of Copper or Iron Ore, Coals, 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, Quarries, Pits, Beds, Veins, or other Bearings of Copper or Iron Ore and Coal, or other Minerals, Matters, or Products as aforesaid, and for bringing to gross, smelting, spalling, dividing, dressing, warehousing, wharfing, or making merchantable any Ores, Metals, Coals, Minerals, or other Matters or Products to be raised or gotten from any such Mines, Mine Works, Quarries, Pits, Beds, Veins or other Bearings; or to treat, contract, and agree for, obtain, purchase, hold, or take, for Term or Terms for Years or otherwise, the Right, Licence, Liberty, and Authority to work and use any such Mines, Quarries, 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, Quarries, Pits, Beds, Veins, and other Bearings, Rights, Licences, Liberties, Authorities, Term or Terms, Hereditaments, and Premises of, to, or in which the said Company, or the said Subscribers or Proprietors, or any of them, now are or hereafter shall or may be seised, possessed, entitled, or interested,

interested, as the said Company shall be entitled to, or may be able to procure; and also to sell and dispose of or absolutely alienate any such Mines, Quarries, Pits, Veins, and other Bearings of Copper or Iron Ore, Coal or other Minerals, Matters or Products aforesaid, and also of any such Surface Soil thereof, and all such Estate and Estates which they may have so purchased in Fee or otherwise as aforesaid, in such Manner as the said Directors, or any Three or more of them, shall think proper.

V. 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 every Person and Persons whatsoever who now are or any Time hereafter shall be Tenant or Tenants for Life, with an immediate Remainder to his or her 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 the Nonage, Idiotcy, or Lunacy of such Persons 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, Idiotcy, or Lunacy, by Indenture under their Hands and Seals, whereof Counterparts thereof 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 all or any Mines or Mine Works, Quarries, Pits, Beds, Veins, or other Bearings of Mines, Ores, 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 be reserved, and no Fine paid.

VI. 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

In Cases of contingent Remainders.

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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, 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.

VII. And whereas it may happen that Persons seised as herein-before mentioned may be Infants, Idiots, or Lunatics; be it therefore enacted, That in all and every 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, 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 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
by Tenant for
Life to be
good against
Reversioner,
the utmost
Rent being
reserved.

VIII. 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 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, to or out of any such Mines, Mine Works, Quarries, or unprofitable Grounds, Pits, 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.

Right and
Interest of
Creditors and
other Persons
not to be
affected.

IX. Provided always, and be it further enacted, That nothing in this Act contained, nor any Deed or Instrument to be executed in pursuance or under the Powers of this Act, shall be construed or adjudged to defeat, lessen, or prejudice the Right, Title, or Interest, at Law or in Equity, of any Creditor or Creditors, or other Person or Persons claiming any Lien, Charge, or Incumbrance upon or against any Lands, Tenements, or Hereditaments, or any Mines or Quarries which may be leased, granted, or conveyed to the said Company under the Provisions of this Act.

A Proportion
of the Rent
shall follow
the Settle-
ment.

X. And be it further enacted, That the Rents and Royalties which from Time to Time shall be reserved on any Demise or Lease of any Mines, Minerals, Quarries, or Beds to be made by virtue of this Act, by any Tenant for Life, in Dower, or by the Curtesy, or any Person or Persons having a less Estate in such Mines, Minerals, Quarries, or Beds than an Estate in Fee Simple, or the Guardians, Trustees, or Committees of
any

any Infant, Idiot, or Lunatic, being Tenant for Life or in Dower, or by the Curtesy, or having a less Estate in the Premises demised than an Estate in Fee Simple, shall from Time to Time be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, to be there placed to an Account entitled the Mine Account of the Body Politic or Corporate, Person or Persons, by whom or on whose Behalf such Demise or Lease shall have been so made or granted, pursuant to the Method prescribed by any Act or Acts of Parliament made or in force for regulating the Practice of the said Court of Chancery, and the General Orders of the said Court, and without Fee or Reward; and the Receipt or Receipts of any Cashier of the Bank of *Ireland* for the said Rents or Royalties, and the Certificate or Certificates of the said Accountant General annexed to the same, and filed in the Register Office of the said Court of Chancery, shall be a good and effectual Discharge, or good and effectual Discharges, to the Person or Persons paying the same for the Money therein respectively mentioned and acknowledged to be received; and after the filing of such Certificates and Receipts as aforesaid such Person or Persons shall not be answerable for the Misapplication or Nonapplication, or be liable or bound to see to the Application of such Money or any Part thereof.

XI. Provided always, and be it further enacted, That the Rents and Royalties to be reserved on any Demises or Leases of Mines, Minerals, Quarries, or Beds made or granted by virtue of this Act, by or on the behalf of any Tenant for Life, in Dower, or by the Curtesy, which may accrue or become due and payable after the Time when the Freehold and Inheritance of the same Mines, Minerals, Quarries, or Beds shall come into Possession, and shall be paid to the Person or Persons who shall for the Time being be entitled to such Freehold and Inheritance for his, her, or their own Use and Benefit.

Rents reserved to be paid to Persons entitled to Freehold.

XII. And be it further enacted, That it shall and may be lawful to and for the said High Court of Chancery, upon a Petition to be preferred in a summary Way by or on the Behalf of any Tenant for Life, in Dower, or by the Curtesy, or other Person or Persons having a less Estate in the Premises demised than an Estate in Fee Simple, whilst such Tenant for Life or in Dower, or by the Curtesy, or other Person or Persons, shall be in Possession of the Reversion of the Premises demised immediately expectant upon the Determination of the Lease or Demise granted thereof, in pursuance of this Act, to order One Seventh Part of the Monies which, pursuant to the Direction herein-before contained, shall have been paid into the Bank of *Ireland* to the Account of such Tenant for Life, in Dower, or by the Curtesy, or other Person or Persons, to be from Time to Time paid and payable to or for the Benefit of the Tenant for Life, in Dower, or by the Curtesy, or other Person or Persons by whom or on whose Behalf such Petition shall be preferred; and the Residue of such Monies respectively, or so much thereof as shall not be ordered by the said Court of Chancery to be applied in Payment of the Costs and Expences according to the Provisions herein-after contained, or as shall not be ordered to be paid in pursuance of the Proviso next herein-after contained, shall be laid out, in such Manner as the said Court of Chancery shall direct, in the Purchase of any Freehold Manors, Messuages, Lands, Tenements, or Hereditaments in *Ireland*, free from all Incumbrances (except Land

One Seventh Part to be paid to the Tenant for Life.

Land Tax, Quit Rents, and other trifling Outgoings); and the same Manors, Messuages, Lands, Tenements, and Hereditaments shall, immediately after the Purchase thereof, be respectively conveyed, settled, and assured to such and the same Uses, upon and for such and the same Trusts, Ends, Intents, and Purposes, and with, under, and subject to such and the same Powers, Provisions, Limitations, and Directions, as shall be then subsisting of and concerning the Mines, Minerals, and Beds respectively from the Rents and Royalties whereof the Monies so laid out as aforesaid shall respectively have arisen, or as near thereto as Circumstances will permit.

Residue of Monies to be laid out in Purchase of Navy or other Bills.

XIII. And be it further enacted, That all Monies which, pursuant to the Direction herein-before contained, shall be paid into the Bank of *Ireland* as aforesaid, or so much thereof as shall not be ordered by the said Court of Chancery to be from Time to Time paid in pursuance of the Clause lastly herein-before contained, or to be applied in Payment of Costs, Charges, and Expences, according to the Provisions herein contained, shall in the meantime, and until the same Monies shall be laid out in the Purchase of Manors, Messuages, Lands, Tenements, or Hereditaments, be from Time to Time laid out by the Accountant General of the said Court of Chancery in the Purchase of Navy, Victualling, or Exchequer Bills; and the Interest arising from the Money so laid out in the said Navy, Victualling, or Exchequer Bills, and the Monies received for the same, as they shall respectively be paid off by Government, shall from Time to Time be laid out, in the Name of the said Accountant General, in the Purchase of other Navy, Victualling, or Exchequer Bills: Provided that it shall and may be lawful to and for the said Court to make General Order or Orders, or Special Order or Orders if necessary, that whenever the Exchequer Bills of the Date of those in the Hands of the Accountant General shall be in the course of Payment by Government, and new Exchequer Bills shall be issued, such new Exchequer Bills may be received in exchange for those which are so in the course of Payment as shall be effectual for enabling such Receipt in exchange, and that in that Event the Interest of the old Bills shall be laid out as before directed with respect to the Interest when the Bills are paid off; all which Navy, Victualling, and Exchequer Bills shall be deposited in the Bank of *Ireland* in the Name of the said Accountant General, and shall there remain until the same shall, upon Petition to be preferred to the said Court of Chancery in a summary Way as aforesaid, be ordered to be sold by the said Accountant for completing any such Purchase or Purchases as aforesaid; and if the Money arising by the Sale of such Navy, Victualling, or Exchequer Bills shall exceed the Amount of the original Purchase Money so laid out as aforesaid, then and in that Case only the Surplus which shall remain after discharging the Expences of the Application to the Court shall be paid to the Persons respectively which or who would have been entitled to receive the Rents and Profits of the Lands directed to be purchased in case the same had been purchased pursuant to this Act.

Rents, &c. when vested, shall be payable to the Persons abso-

XIV. Provided also, and be it further enacted, That when and as the Mines, Minerals, Quarries, or Beds whereof any Demises or Leases shall have been made or granted, by virtue of this Act, by or on the Behalf of any Tenant for Life, in Dower, or by the Curtesy, or other Person or

Persons as aforesaid, shall become absolutely vested in any Person or Persons in Fee Simple, then and from thenceforth the Rents and Royalties reserved or made payable under any such Demises or Leases shall belong and become payable to and be recoverable by and in the Name or Names of the Person or Persons so becoming absolutely entitled thereto in Fee Simple, his, her, or their Heirs and Assigns, as incident to the immediate Reversion and Inheritance of the same Premises.

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titled thereto
in Fee Simple.

XV. And be it further enacted, That it shall be lawful for the said Court of Chancery, upon Petition to be preferred in a summary Way as aforesaid, from Time to Time to make such Orders as the said Court shall think expedient, just, or reasonable for allowing, taxing, and settling all Costs, Charges, and Expences which have been or shall be incurred in obtaining and passing this Act, and making the several Applications to the Court in pursuance thereof, and in making or completing the Demise or Demises of the Mines, Minerals, Quarries, Beds, and other Hereditaments hereby made demisable, and in surveying and measuring the said Mines and Hereditaments, and ascertaining from Time to Time the Quantities and Amounts of Minerals to be dug or gotten by virtue of such Demise or Demises, and in paying into the Bank of *Ireland* as aforesaid such Rents and Royalties as are herein-before directed to be paid in, and investing all or any Monies which under this Act shall be paid into the Bank of *Ireland* in the Purchase of Estates, according to the Directions herein contained, or otherwise in carrying the Trusts and Purposes of this Act into execution, and also from Time to Time to make such Orders as the said Court shall think expedient for Payment of all such Costs, Charges, and Expences as aforesaid, out of the Money so to be paid into the Bank, or out of the Monies arising by Sale of the Navy, Victualling, or Exchequer Bills to be purchased as aforesaid.

Court of
Chancery to
make Orders
for settling
Costs, &c.

XVI. 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, shall be expressed that such Lease, Contract, or Agreement is made and entered into by such Directors as Directors of the said Company, and for the Benefit of the whole of the said Company exclusively, and not for their individual or other 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 so putting such Lease, Contract, or Agreement in Suit to make the Managing Director or any one of the Directors of the said Company for the Time being the sole Plaintiff or Defendant, as the Case may be, in the said Suit, although such Managing Director or Director may not be a Party to such Lease, Contract, or Agreement: Provided always nevertheless, that no Suit shall abate by reason of the Death, Resignation, or Disqualification of such Managing Director or Director; and provided always, that such Managing Director 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

Leases and
Contracts
entered into
by the Di-
rectors to ex-
press that
they are not
for their
individual
Benefit.

ment obtained against such Managing Director or any such Director as aforesaid, and levy the Amount of his, her, or their Damages and Costs upon the reserved Fund herein-after provided, and all other Property whatsoever belonging to the said Company.

Joint Stock
of the Com-
pany.

XVII. And be it further enacted, That the Sum subscribed for, or such Part or Parts of such Sum as shall be necessary and required, not exceeding the Sum of One hundred and sixty-five thousand Pounds, shall, when paid in, be considered as a Capital or Joint Stock, and the same is hereby vested in the aforesaid Subscribers to the said Company, their Executors, Administrators, and Assigns, holding for the Time being Shares in the said Stock, in proportion to the Sum he, she, they, and each of them shall have so severally subscribed and contributed thereunto; and that such Sum of One hundred and sixty-five thousand Pounds shall be divided into Shares of Fifty Pounds each.

Power to
increase the
Capital.

XVIII. Provided always, and be it further enacted, That in case the Sum of One hundred and sixty-five thousand Pounds hereby authorized to be raised shall be found insufficient for the Purposes of the said Company, then and in such Case it shall be lawful for the Directors, at any Extraordinary Meeting or Meetings of the Directors specially called for that Purpose at One or more Time or Times, to come to a Resolution to increase the Capital or Joint Stock of the said Company to any Extent not exceeding in the whole (exclusive of the said Sum of One hundred and sixty-five thousand Pounds) the Sum of Fifty-five thousand Pounds, such increased Capital or Joint Stock to be raised by Subscription in Shares of Fifty Pounds each in the like Manner as the said original Capital or Joint Stock, and such Shares to be offered, in the first instance, to the Members for the Time being of the said Company, in proportion to their then Shares in the original Capital or Joint Stock, and under such Regulations in other respects as the Directors shall think expedient; and in the Event of the whole of the said new Shares not being taken by such Members, then the Shares not so taken to be offered to the Public at large under such Regulations as the Directors shall think expedient.

Shares to be
Personal
Estate.

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

Directors to
invest in Par-
liamentary
Funds.

XX. And be it further enacted, That within Six Calendar Months after the passing of this Act the Directors of the said Company shall invest in some or one of the Public Parliamentary Funds of *Great Britain* or *Ireland* the full Sum of Five thousand Pounds, Part of the said Capital or Joint Stock, in the Names of the Managing Director and One or more Directors of the Company; and that the said Sum of Five thousand Pounds shall not be sold out or transferred until the Fund to answer Contingencies herein-after directed to be created shall amount to the full Sum of Ten thousand Pounds: Provided always, that the Directors of the said Company may from Time to Time vary the Funds in which the said Sum of Five thousand Pounds or any Part thereof may for the Time being be invested for any other Fund or Funds of the Nature

aforesaid: Provided also, that the said Directors shall be empowered to apply the said Sum of Five thousand Pounds or any Part thereof in or toward Payment of any Debt or Debts which may be due or owing from and by the said Company: Provided also, that the said Directors shall and they are hereby required, so often as the same Sum of Five thousand Pounds shall be diminished for or on account of any such Debt or Debts, forthwith to invest as aforesaid, and to be held, applied, and disposed as aforesaid, a Sum equal to the Amount which shall or may be taken therefrom, so as to keep a clear Fund of Five thousand Pounds at the least to answer any such Debt or Debts as aforesaid, until the said Fund to answer Contingencies shall amount to the said Sum of Ten thousand Pounds, and that the Dividends of the said Funds during the Continuance of such Investment shall be applied as the general Income of the said Company shall be applicable.

XXI. And be it further enacted, That the several Persons and Bodies Corporate and Politic who have subscribed and who may subscribe for or towards the said Undertaking, or who shall at any Time hereafter have or hold any Share or Shares in the same, or their respective Executors, Administrators, or Successors, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed for and to be subscribed for or payable in respect of their Shares, or such Parts or Proportions thereof as have not already been paid, and as shall from Time to Time be called for pursuant to or by virtue of the Powers and Directions of this Act, at such Times and Places as shall be ordered and directed by the Directors of the said Company; and in Cases of Default of or in any such Payment it shall be lawful for the said Company or the Directors of the said Company, in the Name of their Managing Director or any one of the Directors 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, together with lawful Interest for the same from such appointed Time of Payment, and full Costs of Suit, from such Person or Persons, or Bodies Corporate or Politic respectively, or their respective Executors, Administrators, or Successors, or in case where Two or more Persons or Bodies Corporate and Politic shall have jointly subscribed for or be jointly possessed of any One or more Share or Shares in the said Undertaking, then from all, any, or either of such joint Subscribers or Possessors, or their Executors, Administrators, or Successors.

Persons neglecting to comply with Calls liable to be sued.

XXII. And be it further enacted, That the Directors of the said Company for the Time being shall have Power to make such Call or Calls for Money from the said Subscribers, their Executors, Administrators, Successors, or Assigns, to the Extent of their several and respective Subscriptions, as the said Directors shall from Time to Time find necessary or expedient for the Purpose of carrying on the Works authorized by this Act, so as no such Call do exceed the Sum of Fifteen Pounds as a first Deposit or Instalment, and Ten Pounds as any subsequent Instalment, for or in respect of any one Share, and so that no Call or Calls be made but at a Distance of Two Calendar Months at least from each other; and the Sum or Sums of Money so to be called for shall be paid to such Banker or Bankers, Person or Persons, and at such Time or Times, as the Directors of the said Company shall appoint or direct to receive the same, to

Calls to be made on Subscribers.

be

In default of
Payment of
Calls, Shares
to be for-
feited.

Notice to be
given to the
Parties hold-
ing Shares
previous to
Forfeiture.

be placed at the Disposal of the said Directors ; and that all Notice or Notices of any such Call or Calls shall be given by Advertisement in the *London Gazette* and *Dublin Gazette*, and One or more of the Newspapers published in the City of *London* or County of *Middlesex*, at least Thirty Days before the Time to be fixed for the Payment of the Call or Calls ; and if any Person or Persons, Body or Bodies Corporate or Politic, or their Executors, Administrators, or Successors, shall neglect or refuse to pay all or any Part of his, her, or their Proportion of the Money to be called for at the Time and Place appointed for the Payment thereof (due Notice of any and every such Call having been given as herein mentioned), then and in every such Case it shall be lawful for the Directors of the said Company, at any Extraordinary Committee of Directors specially called for the Purposes of considering as to the Forfeiture of Shares, to declare that such Person or Persons, Body or Bodies Corporate or Politic, Executors, Administrators, or Successors, so neglecting or refusing to pay such Call or Calls, shall absolutely forfeit all or any of his, her, and their Shares in the said Undertaking and Capital Stock, and the Profits and Advantage thereof, to and for the Benefit of all the rest of the Proprietors, in proportion to their respective Interests in the said Undertaking, and the same shall thereupon be forfeited accordingly : Provided nevertheless, that no such Forfeiture, except in the Cases herein-after mentioned, shall be declared or take place until a Notice in Writing shall have been given, by or on the Part of the Directors of the said Company, to the Person or Persons, Body or Bodies Corporate or Politic, Executors, Administrators, or Successors, so neglecting or refusing, that the said Call or Calls shall have been made ; and that on further Default in Payment thereof and the Interest thereon, or any Part thereof respectively, for the Space of One Calendar Month, their respective Shares shall be subject to be forfeited (such Notice to be delivered to such Person or Persons, Executors, or Administrators, or to the Clerk or Agent of such Body or Bodies Corporate or Politic, or addressed to them respectively by the Post, or left for them at the Places which shall have been notified to the said Company as the Places of Residence or Business of such Person or Persons, Executors, or Administrators, in any Transfer or Transfers of Shares, or in any Notice or Notices to be given in that Behalf, or in any other Document or Documents, or in respect to any Body or Bodies Corporate or Politic, at the Office of such Body or Bodies Corporate or Politic, nor unless a further Default shall be made in the Payment of the said Call or Calls, or the Interest thereon, or some Part thereof respectively, for the Space of One Calendar Month after the giving of such Notice) : Provided always, that the said Directors shall not be bound to give any such Notice as aforesaid of or in relation to such Call or Calls to any Person or Persons, Executors, or Administrators, whose Places of Residence or Business shall not be notified to the Company as aforesaid, but nevertheless, in Cases where the Places of Residence or Business of any Assignees of bankrupt or insolvent Proprietors, or of the Executors or Administrators of deceased Proprietors, shall have been so notified, the Notice for such Assignees, Executors, or Administrators shall be addressed by the Post to or left for them at the Places of Residence or Business so notified of such bankrupt, insolvent, or deceased Proprietors ; and all and every such Share or Shares so forfeited as aforesaid shall be held as herein-after mentioned : Provided always, that any such Forfeiture, when the same shall be so declared, shall,

shall, in respect to the Share or Shares so forfeited, be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors so forfeiting, his, her, or their Executors, Administrators, Successors, and Assigns, against all Actions, Suits, and Prosecutions for any Breach of Contract or Agreement between such Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, and the said Company, or the other Proprietors, with regard to the carrying on and Management of the said Undertaking.

XXIII. And be it further enacted, That in any Action to be brought, by or on behalf of the said Company, against the Owner or Owners of any Share or Shares in the said Undertaking, to recover any Sum or Sums of Money due and payable for or in respect of any Call or Calls to be made by virtue of this Act, it shall be sufficient for the said Company, or the Managing Director or Director who shall be the Plaintiff for or on behalf of the Company, to declare and allege that the Defendant or Defendants, being a Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company or to the Plaintiff in such Sum or Sums of Money as the Call or Calls in arrear, including Interest as aforesaid, shall amount unto, for such or so many Call or Calls of such or so many Sum or Sums of Money, upon such or so many Share or Shares belonging to the said Defendant or Defendants, (as the Case may be), duly made upon such Defendant or Defendants, according to the Authority of this Act, whereby an Action accrued to the said Company or to the said Plaintiff by virtue of this Act, without setting forth the special Matter, any thing contained in this Act to the contrary thereof notwithstanding; and on the Trial of any such Action it shall only be necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were a Proprietor or Proprietors of such Share or Shares in the said Undertaking, and that Call or Calls was or were in fact made, and that such Notice thereof given, as herein-before directed; and the Production by the Secretary, Clerk, or other Officer of the said Company, of the Register Book, and of the Minutes of the Proceedings of the Committee, and of the Newspapers in which Notice of the said Calls shall have been advertised, shall be sufficient Evidence in support of such Action or Actions, without proving the Appointment of the Committee who made such Call or Calls, or any other Matter whatsoever; and the said Company or the said Plaintiff shall thereupon be entitled to recover what shall appear due, including Interest as aforesaid, unless it shall appear that any such Call was made contrary to the Directions and Restrictions in point of Time or Amount contained in this Act, or was not duly advertised.

Proceedings
in Actions
for Calls.

XXIV. And be it further enacted, That the Shares for the Time being in the Capital Stock of the said Undertaking shall be and remain numbered in regular numerical Progression, beginning with the Number One; and the Directors of the said Company shall and they are hereby required to cause the Names and Designations of the several Proprietors who have subscribed for, or may at any Time and from Time to Time hereafter be entitled to a Share or Shares in the said Company, with the Number of such Shares, and also the proper Number by which every Share shall be distinguished, to be clearly and distinctly entered in a Book to be kept by their Secretary or Clerk for that Purpose.

Shares to be
numbered,
and Names of
Proprietors
to be entered.

[*Local.*]

23 H

XXV. And

Shares may
be trans-
ferred.

XXV. 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 by such several Members, or their Executors, Administrators, Successors, or Assigns, indorsing his or her or their respective Names on the Back of the Note or other Instrument purporting to be a Debenture or Debentures from the said Company, or such Share or Shares, thereby directing Payment of the same to such Person or Persons by Name as he, she, or they shall severally desire the same to be transferred into, and in like Manner from Time to Time upon each and every Occasion for such Transfer.

Transfers to
be registered.

XXVI. And be it further enacted, That every such Transfer shall be registered in the Books of the said Company, and until such Transfer be so registered that no such Purchaser or Purchasers, 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 Meeting as Proprietor or Proprietors of the said Company in respect of such Share or Shares.

The Person
whose Name
stands first
for divided
Shares to be
deemed the
Owner, and
entitled to
vote.

XXVII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Undertaking, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares shall, for the Purposes of this Act, be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices hereby required to be given to the Owner or Proprietor of any Share or Shares in the said Company shall and may be given to such Person whose Name shall so stand first in the Books of the said Company, and such Notice to such Persons shall be deemed and taken to be a Notice to all the Owners or Proprietors of any such Share or Shares for all the Purposes for which such Notice is intended to be given to any Owner or Proprietor of such Share or Shares; and that all such Owners or Proprietors shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, and his Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors in Share or Shares.

For ascer-
taining the
Proprietor-
ship in Shares
in certain
Cases.

XXVIII. And whereas in Cases where the original Holder or Proprietor of One or more Share or Shares of the said Company shall die, become bankrupt or insolvent, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof in the Books of the said Company, it may not be in the Power of the said Company to know who is the Owner or Proprietor of such Share or Shares, in order to give him, her, or them, their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions against him, her, or them, their Executors, Administrators, Successors, and Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her, or them, their Executors, Administrators,

Successors,

Successors, and Assigns, the Interest or Dividends to which he, she, or they may be entitled by virtue thereof; be it therefore enacted, That in all the Cases aforesaid, when the Right or Property in One or more Share or Shares in the said Company shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons, by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein-before specified, an Affidavit shall be made and sworn to by Two credible Persons before One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, their Executors, Administrators, Successors, and Assigns; and such Affidavit shall be transmitted to the Secretary of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Company, to be kept in the Office of the said Company; and that in all or any of the said Cases it shall be lawful for the Subscribers and Proprietors at any General Meeting, after Thirty Days Notice shall have been given by the said Directors, under the Hand of the Secretary or Clerk, to the Owners or Persons claiming by such Affidavit to be Owner or Owners thereof, and that such Person or Persons, their Executors, Administrators, Successors, and Assigns, shall not have paid his, her, or their Portion of the Money becoming payable by virtue of any Call or Calls, and after Notice thereof shall have been given in the Manner herein directed to declare at any General Meeting the same Share or Shares to be forfeited, and that in such Case the same shall be and become forfeited, and be sold and disposed of in such Manner as the said Members at any Meeting or Meetings shall direct, or otherwise become consolidated in the general Fund of the said Company.

XXIX. Provided always, and be it further enacted, That after any Call for Money shall have been made, and become due and payable, by virtue of this Act, no Person or Persons, Body or Bodies Corporate or Politic, shall sell or transfer any Share or Shares of the Stock of the said Company which he, she, or they shall possess in the said Company, unless the Money so due and payable in respect of his, her, or their Share or Shares intended to be sold or transferred shall have been previously paid, or shall be paid at the Time of making such Sale or Transfer; and all and every Person or Persons, Body and Bodies Corporate and Politic, making default therein, shall be subject and liable to forfeit such his, her, or their Share or Shares in the said Company, to and for the Benefit of the rest of the Proprietors, in proportion to their respective Interests in the said Undertaking, such Forfeiture nevertheless to be first declared in manner herein-before directed with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid; but such Declaration of Forfeiture shall not be made (except in Cases where the Notice next herein-after mentioned is not herein-before required to be given) until a Notice shall have been given similar to that herein-before directed to be given for not answering Calls as aforesaid, nor until a like Default shall have taken place, and the said Forfeiture, under this present Provision, to be a like Indemnification and Discharge in respect of such Shares as is herein-before mentioned in respect of the Shares forfeited for not answering Calls as aforesaid; and the Shares to become forfeited under the present Provision shall be held as herein-after is mentioned.

XXX. And

Shares not to be sold after a Call is made till the Money is paid

Persons making Default liable to have their Shares forfeited.

Appoint-
ment of
Directors,
Managing
Director,
Auditors,
Secretary,
Provincial
Director,
and other
Officers of
the Com-
pany.

XXX. And be it further enacted, That there shall be Seven of the said Proprietors, qualified in the Manner and to be nominated and appointed as herein is mentioned, who shall be and shall be called the Directors of the said Company, and one of whom (to be nominated and appointed as herein is mentioned) shall be the Managing Director, and shall be called the Chairman of the Board of Directors of the said Company; and there shall be Two other Persons, to be nominated and appointed as herein is mentioned, who shall be the Auditors and Examiners of the Accounts of the said Company; and there shall be one other Person, to be nominated as herein is mentioned, who shall be called the Secretary of the said Company; and there shall be one other Person, to be nominated and appointed as herein is mentioned, who shall be called the Provincial Director; and it shall and may be lawful to increase the Number of Provincial Directors (should it be deemed expedient so to do), and to nominate and appoint such other Officers and Servants as may be considered requisite by the Managing Director for the Time being; but it is hereby nevertheless provided, that such Provisional Director or Directors shall not vote at any Board of Directors, nor have a Director's Vote on any Occasion whatsoever.

Qualification
of Directors.

XXXI. And be it further enacted, That any Owner or Proprietor of Shares in the Stock of the said Company shall be qualified to act as Director of the said Company if he shall at the Day of Election *bona fide* hold and possess in his own Right, and shall continue so to hold and possess, Fifteen Shares at least of the Joint Stock of the said Company; and in case and so often as any present or future Director shall, while in Office, cease to hold in his own Right at least Fifteen Shares in the Capital of the Company, his Office shall thereupon become vacant.

First and
present Di-
rector,
Chairman,
Managing
Director,
Provincial
Director,
and Auditors
of the Com-
pany.

XXXII. And be it further enacted, That *Edward Southwell Ruthvere, Joseph Pike, Richard Warneford, Samuel Jacob, William Webb Ellis, George Prickite, and Francis Graham Moon*, shall be the first Board of Directors for managing the Affairs of the said Company, and the said *Joseph Pike* shall be the first and present Chairman of said Board of Directors and Managing Director of the Affairs of the said Company, and that *John Davies* shall be the first and present Provincial Director of the said Company, and that *Jonathan Clarke and Thomas Pike* shall be the first and present Auditors of the said Company; and that they, the said Directors, Chairman, Managing Director, and Auditors respectively, shall continue and hold their said several Offices until the respective Times herein mentioned, unless they respectively shall die, resign, cease to be qualified, or be removed respectively, as herein is mentioned.

First Chair-
man, Direc-
tor, and Audi-
tors how
long to con-
tinue in Of-
fice respec-
tively.

XXXIII. And be it further enacted, That the said first Chairman of the Directors shall continue in and hold the said Office until the first Committee Meeting after the General Meeting of the Proprietors to be holden on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and thirty-eight, or within Thirty Days thereafter, and from thence until some other Person shall be elected and take on him to execute the Duties of such Office; and the said Directors of the said Company shall continue in and the Office and Offices of Directors respectively until the several Days and in the Manner herein-after mentioned; that is to say, at the said General Meeting to be

be holden on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and thirty-eight, or within Thirty Days thereafter, Two of the said Directors at least shall go out of the said Office of Director, such Two Directors to be determined by Lot or otherwise amongst the said other Directors respectively; and at the General Meeting to be holden on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and thirty-nine, or within Thirty Days thereafter, Two of the remaining other Directors, to be determined by Lot amongst the said first-named other Directors then remaining in Office respectively, shall go out of the said Office of Director; and at the General Meeting which will be held on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and forty the remaining Two of the said first-named Directors shall go out of the Office of Director; and that at the General Meeting to be holden on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and thirty-eight, or within Thirty Days thereafter, One of the said Auditors and Examiners of the Accounts of the said Company (so named as aforesaid), to be determined by Lot or otherwise between them, shall 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 shall continue in and hold his said Office until the like General Meeting which will be in the Year One thousand eight hundred and thirty-nine, when the said last-mentioned Auditor and Examiner of Accounts shall go out of the said Office.

XXXIV. And be it further enacted, That at the first Committee of Directors to be held after the General Meeting of the Proprietors of the said Company to be held on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and thirty-eight, or within Thirty Days thereafter, and at the first Committee to be held after the like General Meeting in every Third Year thereafter, there shall be an Election of One of the Directors, who shall thenceforth be the Chairman of the Directors of the said Company for Three Years next ensuing such his Election, and from thence until some other Person shall be elected and take on him the Duties of such Office, unless he shall die, resign, be removed, or cease to be a Director.

Electing
future Chair-
man.

XXXV. And be it further enacted, That at the General Meeting which shall be holden on the First *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and thirty-eight, or within Thirty Days thereafter, and at the like General Meeting in every succeeding Third Year, there shall be an Election of Two Proprietors qualified respectively in the Manner herein mentioned, who shall thenceforth be Two of the Directors of the Affairs of the said Company for Three Years next ensuing such their Election, unless they respectively shall die, resign, or be removed, or cease to be qualified as herein is mentioned; and at the General Meeting which shall be holden on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and thirty-nine, or within Thirty Days afterwards, and at the like General Meeting in every succeeding Third Year, there shall be an Election of Two Proprietors qualified respectively in the Manner herein mentioned, who shall thenceforth be Two Directors of the

Election of
Directors.

[Local.]

Affairs of the said Company for Three Years next ensuing such their Election, unless they respectively shall die, resign, or be removed, or cease to be qualified as herein is mentioned; and at the General Meeting which shall be holden on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and forty, or within Thirty Days afterwards, and at the like General Meeting in every succeeding Third Year, there shall be an Election of Two Proprietors qualified respectively in the Manner herein mentioned, who shall thenceforth be Two of the Directors of the Affairs of the said Company for Three Years next ensuing such their Election, unless they respectively shall die, resign, or be removed, or cease to be qualified as herein is mentioned.

Election of
Auditors.

XXXVI. And be it further enacted, That at the General Meeting of the said Company to be holden on the first *Wednesday* in the Month of *February* which will be in the Year One thousand eight hundred and thirty-eight, or within Thirty Days thereafter, and at the like General Meeting in every succeeding Year, there shall be an Election of a Person to be one of the Auditors of the said Company for Two Years next ensuing such his Election, unless he shall die, resign, or be removed as herein is mentioned.

Officers may
be re-elected.

XXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall be taken or be construed to prevent any Chairman of the Directors, Director, or Auditor who shall go out of Office on the Days aforesaid, or on any annual Day of Election thereafter, from being eligible to be immediately re-elected to the said Offices or any of them.

Removal of
Chairman,
Directors, or
Auditors.

XXXVIII. Provided always, and be it further enacted, That it shall and may be lawful for any General Meeting of the Proprietors of the said Company, specially called for the Purpose, to remove from his Office any Director, including the Chairman of the Directors, or Auditor, for Negligence or Misconduct in Office, or other reasonable Cause.

Vacancies in
the Office of
Chairman
how to be
filled up.

XXXIX. And be it further enacted, That any Vacancy in the Office or Situation of Chairman of the Directors shall from Time to Time be filled up by the Election to that Office of one of the Directors for the Time being, at the First Meeting of the Committee of Directors after such Vacancy shall have come to the Knowledge of the Committee; and the Party so to be elected shall not remain in Office longer than the Chairman whose Place he shall supply would have done in case such Vacancy had not occurred: Provided always, that if on any such Election, or on the Election of a Person to fill the Chair at any particular Meeting, the Votes shall happen to be equal, the Election shall be determined by Lot.

For filling up
Vacancies
in case of
the Death,
Removal, or
Want of
Qualification
of Directors.

XL. And be it further enacted, That so often as it shall happen that any Director or Auditor shall respectively die, resign, be removed, or become disqualified to continue in or hold the said Offices or any of them, the Vacancy shall from Time to Time be supplied at a General Meeting of the Proprietors; and if the Directors shall think the same expedient, a Special General Meeting of the Proprietors may be convened

by the Directors, according to the Provisions of this Act, for the Purpose of electing some One or more Person or Persons to fill such Vacancy or Vacancies: Provided nevertheless, that until any such Vacancy shall be supplied it shall be lawful for the Committee of Directors (if they shall think fit so to do) at any Time and from Time to Time to appoint a Person to act as a temporary Director or Auditor in the Place of the Person occasioning the Vacancy: Provided also, that any Person or Persons to be appointed to fill any Vacancy or Vacancies in the Office of Director or Auditor shall 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, being removed, or becoming disqualified would have done respectively if no such Vacancy as aforesaid had occurred: Provided also, that if, on any of the Days on which any Director or Auditor is to go out of Office by Rotation, any Director or Auditor who, had he continued in Office, would or might have gone out on that Day, shall have gone out of Office, and his Vacancy shall not have been supplied as aforesaid, such Person shall be considered a Director or Auditor to go out of Office on that Day.

XLII. And be it further enacted, That in the Advertisement concerning any General Meeting of the Company at which a Director or Directors, Auditor or Auditors, is or are to be elected, Notice shall be given to every Proprietor intending to become a Candidate to fill any such vacant Office must, within Fourteen Days from the Time of the Insertion of such Advertisement, signify by some Writing under his Hand stating the Place of his Residence and Addition, such Writing to be left within the same Fourteen Days at the Office of the Company, his Intention so to become a Candidate, and every Proprietor intending so to become a Candidate as aforesaid must signify such his Intention within the Time and in the Manner aforesaid.

As to Notice by Candidates for the Office of Director.

XLII. And be it further enacted, That all future Elections of Directors of the Company at a General Meeting shall be by Ballot, and each Candidate for that Office shall have the Liberty of nominating One Scrutineer, such Scrutineer being a Proprietor qualified to vote, and the Ballot of every particular Candidate shall be under the Direction of the Scrutineer nominated by that Candidate: Provided nevertheless, that no Balloting Paper tendered by any Proprietor shall be deemed good, or admitted as a Vote or Votes, whereon any greater or less Number of Names of Persons shall be inserted than the Number of Officers to be filled up or balloted for at the Time being, nor in case of a greater Number of Votes being tendered than the Proprietor shall be entitled to give in such Ballot.

Directors to be chosen by Ballot.

XLIII. And be it further enacted, That any Chairman or other Director, or any Auditor, desirous of resigning his Office or Situation, shall give One Calendar Month previous Notice in Writing of his Intention so to do to the Committee of Directors.

Notice of Resignation by Chairman, &c.

XLIV. And be it further enacted, That the Agents in *England* and *Ireland* respectively to the said Company may be varied and changed by the Committee of Directors at their Discretion.

The Directors may vary the Agents.

XLV. And

General
Powers of
the Directors.

XLV. And be it further enacted, That the Directors for the Time being shall have full Power and Authority to meet and adjourn from Time to Time and from Place to Place; and also to direct, manage, and transact the Affairs and Business of the said Company, as well as in issuing, laying out, and disposing of all Sum and Sums of Money to be issued or laid out or disposed of for the Purpose of the same, as in contracting for and taking Mines, Mine Works, Quarries, Pits, Beds, Veins, and other Bearings of Copper or Iron Ore, Coal, and other Mineral Matter and Products as aforesaid, or such Rights, Licences, Liberties, Authorities, Hereditaments, and Premises as aforesaid, and in erecting, building, and making Erections and Buildings; and also in contracting for and purchasing Machinery, Goods, and Chattels for the Use of the said Company, and in ordering and directing the making of Rail or Tram Roads, or other Roads or Ways, for the Purpose of conveying any Ore, Coal, Goods, or Materials, Matters, or Things; and in managing, ordering, directing, and employing the Works and Workmen; and also in selling and disposing of any Copper, Iron, Coals, Materials, Matters, or Things to be obtained from the said Mines and Premises; and in making, enforcing, and carrying into effect all Contracts and Bargains touching or anywise concerning the same, and generally in all other respects touching and concerning the Premises, subject to such Orders, Bye Laws, Rules, and Regulations as shall at any Time be duly made by the said Company in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted.

Power to the
Managing
and other
Directors to
appoint
Officers,
Servants, &c.

XLVI. And be it further enacted, That it shall and may be lawful for the Managing and other Directors for the Time being from Time to Time to nominate and appoint One or more Provincial Director or Directors, Receiver or Receivers, Collector or Collectors of all and singular or any of the Sum or Sums of Money payable or to become due and payable to the said Company under or by virtue of this Act, and also such Banker or Bankers, Counsel, Solicitor or Solicitors, Secretary or Secretaries, Engineer or Engineers, Manager or Managers of the Works, Surveyor or Surveyors, Captains, Clerks, Workmen, and other Officers and Servants, as the said Directors shall think proper and expedient for the Purposes of this Act; and also from Time to Time to revoke every or any such Appointment, and to discharge, dismiss, or suspend any such Provincial Director or Directors, Receivers, Collectors, Engineers, Surveyors, or other Officers or Servants, and appoint others in their Stead, as there shall be Occasion; and that every such Receiver, Collector, Engineer, Surveyor, or other Officer or Servant who shall at any Time quit or be dismissed from the Service of the said Company, and the respective Executors or Administrators of those who may happen to die, shall immediately thereupon produce and deliver up to the said Managing Director, or to Person or Persons as he shall direct, all Books, Accounts, Writings, and Papers whatsoever which shall be in the Custody or Power of such Receivers, Collectors, Engineers, Surveyors, or other Officers, Executors, or Administrators respectively, in anywise relating to the said Company; and that it shall be lawful for the Managing Director, if he shall deem it expedient so to do, to require or cause to be required that any of the Parties so to be appointed and employed as aforesaid shall give to the Directors of the Company such Security for the good Conduct of the Party or Parties while in the Service of the Company

Company as may be thought sufficient and proper : Provided nevertheless, that it shall be lawful for the Committee of Directors (if they shall deem it expedient so to do), at any Time or from Time to Time or at all Times, to appoint or employ any One or more of the Directors or Provincial Directors to attend either at the Works or at the Office of the Company in *London*, as and when the Committee shall think fit, for the Purpose of superintending, conducting, and transacting, under the Controul of the Committee of Directors, the Business and Concerns of the Company in *England* or *Ireland*, or the ordinary Business of the Company in *London*, and to remove such Director or Directors at pleasure, and to allow such Director or Directors such Salary or Salaries, Compensation or Compensations, as the Committee shall think proper.

XLVII. And be it further enacted, That the said Directors shall cause the Books of the said Company to be balanced up to the Thirty-first Day of *December* One thousand eight hundred and thirty-four, and up to the Thirtieth Day of *June* and Thirty-first Day of *December* in each succeeding Year, or to such other Period or Periods of each Year as any General Meeting shall from Time to Time appoint ; and the said Books, being so balanced, shall from Time to Time be examined and signed by the Auditor, and approved by the said Directors ; and an Abstract of the said Balance, showing the State of the Receipts and Disbursements, and the Debts and Credits, Funds and Property of the said Company, shall from Time to Time be signed by the said Auditors, and shall be respectively produced at the General Meeting of the said Company to be held upon the first *Wednesday* in the Months of *February* and *July* in every Year, or within Thirty Days thereafter, so that any of the Proprietors attending the Meetings may have an Opportunity of inspecting the same, and shall be forthwith afterwards printed and circulated amongst the Proprietors ; and every such Abstract, after the same, with any Alterations or Corrections which may have been made at any Meeting of the Company, shall have been approved of, either at the General Meeting of the Company at which it is to be produced or at any subsequent General Meeting, shall be signed by the Chairman of such Meeting in Testimony of such Approval, and thereupon and thenceforth the same shall be binding and conclusive on all the Proprietors of the Company, and their respective Executors, Administrators, Successors, and Assigns, unless some manifest Error or Errors, to the Amount in the whole of Fifty Pounds or upwards, be discovered therein by any One or more of the Proprietors of the Company within Eight Calendar Months after such Approval, in which Case such Error or Errors, and only such Error or Errors, shall be rectified by the Committee of Directors without Delay ; and the Abstract so corrected shall be produced at the First Half-yearly General Meeting which shall be thereafter held, and thereupon the said Abstract shall be in all respects binding and conclusive on all the Proprietors, and their respective Executors, Administrators, Successors, and Assigns.

Accounts to be balanced and settled every Half Year.

XLVIII. And be it further enacted, That the Directors of the said Company shall meet together at the Office of the said Company in *London* or elsewhere at least once in every Week, and at such Times as they the said Directors shall think proper, or to which any Adjournment of their Meetings may be made ; and any One or more of the said Directors may at any Time call a Meeting of the Directors by Notice in Writing to be

For regulating the Proceedings of Directors.

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sent

sent One Day at least previously to each of them the said Chairman and Directors respectively where they shall think fit, but no Business shall be transacted at any Meeting of the said Directors unless Three at least of the said Directors shall be present ; and that the Chair shall be taken at every Meeting of the said Directors by the Chairman, or in his Absence by one of the said Directors to be chosen out of the said Directors present ; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the Committee of Directors shall be decided and determined by the Majority in Number then present : Provided nevertheless, that if any Question shall be discussed in which any Director shall be interested in any other Manner than as a Director in common with the other Directors, such Director shall not be entitled to vote upon that Question ; and if the Person for the Time being in the Chair shall be so interested, then during the Discussion of that Question, but not longer, the Person for the Time being in the Chair shall leave the Chair, and thereupon and during such Discussion the Chair shall be taken by such other Person as would or might have been entitled to take the Chair in case such Person had been absent ; and if on the Day appointed for any such Meeting a sufficient Number of Directors shall not attend, then and in every such Case the said Meeting shall be adjourned to the next Day by the Director or Directors there present, or if none be present, by the Secretary or Clerk to the said Company, or such other Person as shall attend in his Place ; and the Proceedings of every Meeting of the said Directors shall be entered in a Book to be kept for that Purpose, and signed by the Chairman or Director who shall be in the Chair ; and at every such Committee the Minutes of the Proceedings of the then last Committee shall be read.

Power of the Directors as to calling a Special General Meeting.

XLIX. And be it further enacted, That the said Directors shall and may at any Time or Times, and for such Purpose or Purposes as they may think proper, have Power to call a Special General Meeting or Meetings of the said Company, of which Notice shall be given by Advertisement in the *London Gazette* and *Dublin Gazette*, and in One or more daily Newspapers published in the City of *London* or the County of *Middlesex*, such Advertisement to be inserted in each Gazette and Paper twice at least, and on each Occasion at least Fourteen Days and not more than Forty Days before the Time fixed for holding the Meeting, and such Advertisement to specify the Day, Hour, and Place for holding the Meeting, and also the Object of the Meeting.

Two General Meetings to be held every Year.

L. And be it further enacted, That there shall be held in each Year after the Year One thousand eight hundred and thirty-four Two General Meetings of the said Company in the City of *London* or the City of *Westminster*, that is to say, on the first *Wednesday* in the Month of *February* and the first *Wednesday* in the Month of *July*, or within Thirty Days after such Days respectively, of which several Meetings the Directors shall cause Notice to be given by Advertisements to be inserted in the *London Gazette* and *Dublin Gazette*, and in One or more daily Newspapers published in the City of *London* or County of *Middlesex*, such Advertisements to be inserted in each Gazette and Paper twice at least, and on each Occasion at least Fourteen Days and not more than Forty Days before the Time fixed for holding the Meeting, and such Advertisement to specify the Day, Hour, and Place for holding the Meeting ; and the First Meeting

Meeting to be held by virtue of this Act shall be holden in the City of London at the said Company's Office on the first *Wednesday* in the Month of *February*, or within Thirty Days afterwards; and at every General and Special General Meeting held in pursuance of this Act the Chairman of the Directors for the Time being, or in his Absence some Director of the said Company to be chosen at such Meeting or Meetings respectively, or in the Absence of all the said Directors, or in the Event of such of them as are present declining to take the Chair, such Proprietor as shall be chosen at such Meeting or Meetings respectively, shall be the Chairman of such Meeting or Meetings respectively; and that all such Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient; and that the Proprietors qualified to vote as herein mentioned, or any Fifteen or more such qualified Proprietors holding in their own Right in the aggregate not less than Two hundred Shares in the Capital, or any Twenty or more such qualified Proprietors, whatever Number of Shares they may hold, present at any General or Special General Meeting, or at any Adjournment thereof, shall have Power as herein is mentioned to elect Persons to be Directors and Auditors of the said Company, and to regulate, controul, and make Provisions for the Management and carrying on the Affairs of the said Company, and to transact any Business relative thereto; and all Questions, except in the Cases herein particularly mentioned, shall be decided by a Majority of Votes of the Proprietors present and Proxies, according to the respective Shares held by them in their own Rights, in the Manner following; that is to say, One Vote for Five Shares, Two Votes for Ten Shares, Three Votes for Fifteen Shares, and Four Votes for Twenty-five Shares; but no Proprietor shall vote in respect of more than Twenty-five Shares, nor shall a Proprietor be entitled to vote at any Meeting unless such Proprietor shall have fully paid and satisfied all Arrears of Money which shall or may become due and payable in pursuance of any Call or Calls made by the said Directors for and in respect of the Share or Shares of such Proprietors, nor shall any Proprietor vote at any Meeting of the said Company upon any Question or Questions relating to the Concerns of the said Undertaking in which such Proprietor shall be interested, other than as any other Subscriber or Subscribers, Proprietor or Proprietors, to or of the said Company.

Proceedings
at General
Meetings.

LI. And be it further enacted, That no Business shall be transacted at any Special General Meeting besides the Business for which it shall have been called, and no other Business shall be transacted at any adjourned Special or General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place; and if at any Special or General Meeting a sufficient Number of Proprietors to act shall not assemble and proceed to Business in One Hour from the Time appointed for such Meeting, or if that Number be not present when the Whole or any Part of the Business to be transacted shall be decided upon, the Meeting shall adjourn till some future Day to be appointed by the Directors, of which Adjournment Notice shall be given to the several Proprietors of the said Company in the Manner directed by this Act for Notices of any General Meeting of the said Company.

Business of
Special and
adjourned
General
Meetings.

LII. And be it further enacted, That the Orders and Proceedings of all and every such General or Special General Meetings shall be entered
by

Proceedings
to be entered.

by the Secretary or Clerk of the said Company, or such other Person as shall attend in his Place, in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered, and signed by the Chairman of each respective Meeting, shall be deemed and taken to be the original Orders and Proceedings, and shall be allowed to be read in all Courts and Places whatsoever, and by and before all Judges, Justices, and others; and that at every Half-yearly General Meeting of the Company the Minutes of the Proceedings of the then Half-yearly General Meeting of the Company, and of any General Meeting or Meetings of the Company which may have been held between such Half-yearly General Meeting, shall be read, and at every adjourned General Meeting the Minutes of the Proceedings of the Meeting from which such Adjournment took place shall be read.

Contracts made by or on behalf of Chairman or Directors or Auditors to be void.

LIII. And be it further enacted, That all and every Contract or Contracts made or entered into by or on behalf of any Chairman of the Directors, Director, or Auditor of the said Company, or in which any such Chairman, Director, or Auditor shall be either directly or indirectly interested or concerned, for doing or causing to be done any Works for or on behalf of the Company, or for supplying any of the Articles or Things to or for the Use of the said Company, shall be absolutely null and void to all Intents and Purposes whatsoever; and every Chairman, Director, or Auditor who shall enter into or be knowingly concerned in any such Contract or Contracts as aforesaid shall *ipso facto* cease to be such Chairman, Director, Auditor, and Examiner, as the Case may be, and a new Election of some other Person or Persons shall take place in the Manner herein mentioned; and every such Person shall also for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be sued for and recovered, with full Costs of Suit, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, Bill, Complaint, or Information, wherein no Protection, Essoign, or Wager of Law, or more than One Impar lance, shall be allowed.

Empowering Proprietors of Shares to vote by Proxy.

LIV. And be it further enacted, That every Proprietor who shall hold Shares in the said Company, and be entitled to vote in respect of such Shares at any General or Special General Meeting of the said Company, shall have full Power and Authority to vote at such Meetings as aforesaid by Proxy to be appointed in Writing, any such Proxy being a Proprietor of the said Company entitled to vote: Provided nevertheless, that no Person shall deliver in Proxies for more than Five Proprietors; and the Appointment of such Proxies may be made in the Form following, or in any other Form which the Circumstances of the Case may require, or which may be thought proper by any Proprietor or Proprietors; (*videlicet,*)

Form of Proxy.

‘ I of one of the Proprietors of and in
 ‘ the West *Cork* Mining Company, do hereby nominate, constitute, and
 ‘ appoint of to be my Proxy, in my Name
 ‘ and in my Absence to vote or give my Assent to or Dissent from any
 ‘ Business, Matter, or Thing relating to the said Undertaking that shall
 ‘ be mentioned or proposed at any General or other Meeting of the said
 ‘ Company, in such Manner as the said shall think proper,
 ‘ according

‘ according to his Opinion and Judgment, for the Benefit of the said
 ‘ Undertaking, or any thing relating thereunto. In witness whereof I
 ‘ have hereunto set my Hand the Day of .’

LV. And be it further enacted, That One Tenth Part of all Monies arising from the Profits of the said Undertaking shall be set apart and reserved and form a Fund to be kept by way of Security, separate and apart from the other Funds and Property of the Company, and shall be called “The Proprietors Guarantee Fund,” and be a Fund to answer all extraordinary and sudden Contingencies; and to that End the said Tenth Part of the said Profits so to arise shall be invested, in the Names of the Managing Director and One or more Directors of the Company, in some one of the Parliamentary Stocks or Funds of *Great Britain or Ireland*, which Parliamentary Stocks or Funds may be raised from Time to Time, and the resulting Income thereof shall be invested in like Manner, and may be so varied, so that the same may accumulate by way of Compound Interest; and upon any extraordinary or sudden Contingency or Contingencies happening, the Guarantee Fund, or a competent Part thereof, shall be resorted to and disposed of to answer and meet the same; and to that End the Share or Shares, or the Stocks, Funds, and Securities composing the said Fund or any Part thereof, may, so far as the same be requisite, be sold by the Order of the said Directors: Provided always, that in every such Case the Amount shall be replaced with all convenient Speed by and out of the Profits of the said Company, and no Dividends of Profits shall thereafter be made until such Amount be so replaced, and the Fund to be so from Time to Time substituted shall be for the like Purpose and be applied in the like Manner as the original Fund: Provided always, that when and so often as the Stock composing the Guarantee Fund shall amount in Value to the Sum of Ten thousand Pounds the Accumulation herein-before directed to be made shall cease, and the Funds which would otherwise be invested for the Purpose of Accumulation shall form Part of the general Profits or Funds of the Company, and be divisible and applied as such, subject however to a renewed Accumulation after the diminishing of the Fund, and until the same shall be fully replaced to the aforesaid Amount by means of such Accumulation, or out of the said Profits: Provided always nevertheless, that it shall be lawful for the Directors (if they think expedient) to sell the said forfeited Shares or any of them, and in such Case the Monies to arise from the Sale thereof shall be invested in the like Manner as herein-before directed with respect to the said Tenth Part of the Monies to be so called for as aforesaid.

A Fund to be formed to answer Contingencies.

LVI. And be it further enacted, That at every Half-yearly General Meeting, or some Adjournment thereof, a Dividend or Dividends shall be declared amongst the Proprietors by the Directors out of the clear Residue, unless such Directors shall consider the same expedient (after deducting therefrom the Tenth Part as herein is mentioned), of the Profits or Advantages of and belonging to the said Company, and such Dividend or Dividends shall be according to the Shares they may severally hold and the Sums of Money severally paid by them, and as the said Directors shall think fit to appoint and determine: Provided always, that no Dividend shall be paid in respect of any Share or Shares, after any Call for Money in respect of such Share or Shares shall have become due and payable, until such Call be paid, and the same may be retained in satisfaction

Dividends

[*Local.*]

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of such Call: Provided also, that no Dividend shall be made whereby the actual Capital for the Time being shall be impaired or in any degree reduced, and that the Chairmen and Directors who shall concur in making such Dividend shall be personally responsible to the Proprietors and also the Creditors of the said Company for any Injury that may arise therefrom.

Directors to reimburse themselves Costs, Charges, &c.

LVII. 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, Damage, 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 of the Funds or Property of the said Company.

Company empowered to register Vessels.

6 G. 4. c. 110.

LVIII. And be it further enacted, That it shall and may be lawful for the Managing Director of the said Company to purchase all and any Ships, Vessels, Boats, and Barges which may be required for the Business of the said Company, and pay for the same from the Funds of the same; and that all Ships, Vessels, Boats, or Barges which now are or shall at any Time hereafter be owned by the said Company, and be navigated on their Account, shall be vested in said Company, and they are hereby authorized and required, as Occasion may arise, to be registered under the Provisions and by virtue of an Act passed in the Sixth Year of the Reign of His late Majesty *George* the Fourth, intituled *An Act for the registering of British Vessels*, in the Name of the said Company; and when it shall become necessary to register any Ship or Vessel belonging to the said Company, then the following Oath, in lieu of any other Oath heretofore required by Law to be made, shall be taken and subscribed by the Managing Director of the said Company, and a Register granted thereon; (that is to say,)

Form of Oath on Registration.

‘ I being Managing Director of the *West Cork Mining Company*, do make Oath, That the Ship or Vessel of the Port of _____ whereof _____ is at present Master, being [Kind of Build, Burthen, et cætera, as described in the Certificate of the Surveying Officer,] was [when and where built, or if Prize or forfeited, Capture and Condemnation as such,] and that the same doth wholly and truly belong to the *West Cork Mining Company*, and that the Directors of the said Company are and each of them is a natural-born Subject of *Great Britain and Ireland*. So help me GOD.’

Expences of Act how to be paid.

LIX. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act shall be paid and discharged out of the first Monies subscribed or to be subscribed for the Purposes of this Act.

Public Act.

LX. 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.