ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

****

Cap. xcviii.

An Act for forming a Company to be called "*Kollmann*'s Railway Locomotive and Carriage Improvement Company," and for enabling the said Company to purchase certain Letters Patent. [3d *July* 1840.]

WHEREAS by Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Twenty-third Day of *April* in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, His said late Majesty did give and grant unto *George Augustus Kollmann*, therein described, his Executors, Administrators, and Assigns, and by certain other Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Seventeenth Day of *August* in the Third Year of the Reign of Her present Majesty Queen *Victoria*, Her said Majesty did give and grant unto the said *George Augustus Kollman*, his Executors, Administrators, and Assigns, the sole Privilege that he the said *George Augustus Kollmann*, his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or by his and their Deputy or Deputies, Servants or Agents, or such others as he the said *George Augustus Kollmann*, his Executors, Administrators, or Assigns, should at any Time agree with, and no others, from Time to Time, and at all Times thereafter, during the several Terms of Fourteen Years from the Date of the said Letters Patent respectively, should and lawfully might make, use, exercise, and vend, within that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, the Dominion of *Wales*, and the Town of *Berwick-upon-Tweed*, certain Improve-

ments in Railways and Locomotive and other Carriages in the said several Letters Patent respectively mentioned; and that he the said *George Augustus Kollmann*, his Executors, Administrators, and Assigns, should and lawfully might have and enjoy the whole Profit, Benefit, Commodity, and Advantage from Time to Time accruing by reason of the said Inventions during the several Terms aforesaid: And whereas the Specifications of the said several Improvements required to be made by the said several Letters Patent respectively so granted by the said *George Augustus Kollmann* have been duly enrolled in the High Court of Chancery: And whereas a Fiat in Bankruptcy, bearing Date the Fourteenth Day of *February* One thousand eight hundred and forty, hath been awarded and issued against the said *George Augustus Kollmann*, who hath been thereunder duly adjudged a Bankrupt, and *Patrick Johnson* hath been duly appointed the Official Assignee, and *James Jones Dransfield* the Creditors Assignee, of the said Bankrupt's Estate and Effects: And whereas the said several Letter Patents respectively contain a Proviso for making void the same if at any Time thereafter the said Letters Patent respectively, or the Liberties or Privileges thereby granted, should become vested in or in Trust for more than the Number of Twelve Persons, or their Representatives, at any One Time, as Partners dividing or entitled to divide the Benefit of Profits obtained by reason of the said Letters Patent respectively: And whereas the said Inventions comprised in the said several Letters Patent respectively will be of great Public Benefit and Utility if Means are provided for facilitating the general Use thereof; but the full Benefit thereof cannot be afforded to the Public by reason of the great Expence attending the same, except by the Formation of a Joint Stock Company, to be established for that Purpose, and such Company being authorized to purchase the said several Letters Patent respectively, without making the same void: And whereas the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Persons and Person, Bodies and Body Politic, Corporate, or Collegiate, who shall for the Time being hold any Share or Shares in the Capital or Joint Stock of the Company herein-after mentioned (so long as they shall respectively hold the same, and no longer), and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby established and united into a Joint Stock Company by the Name of "*Kollmann*'s Railway Locomotive and Carriage Improvement Company."

Company incorporated.

Company may purchase Letters Patent.

II. And be it further enacted, That the said Company shall be established for the Purpose of purchasing the said several Letters Patent dated the Twenty-third Day of *April* in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, and the Seventeenth Day of *August* in the Third Year of the Reign of Her present Majesty, herein-before respectively recited, and also for the Purpose of exercising, using, and vending the said Improvements therein respectively

respectively mentioned, and also for making such Apparatus and Machinery as the said Company may deem expedient, and also for the Appointment of proper Persons to attend and conduct the same, with full Power and Authority to the said Company to grant any Licences to others to use the said Improvements or any of them, or any Part or Parts thereof respectively, under such Limitations and Restrictions as the said Company shall think fit, and generally to vend, use, employ, exercise, and deal with the said Inventions respectively, and such Improvements therein as aforesaid, and the said several Letters Patent respectively, for their own proper Benefit and Advantage, in such Manner in all respects as the said Company shall think fit.

After Purchase the Letters Patent to vest in the Company.

III. And be it further enacted, That it shall be lawful for the said Company to purchase, and also for the said *Patrick Johnson* and *James Jones Dransfield*, and any future Assignee or Assignees who may be hereafter duly appointed of the Estate and Effects of the said *George Augustus Kollman*, as well as for the said *George Augustus Kollmann*, his Executors, Administrators, and Assigns, at any Time after the passing of this Act, to sell, transfer, grant, and assign unto the said Company, or unto any Person or Persons as a Trustee or Trustees for the said Company hereby established, the said several Letters Patent, or either of them, and the Inventions and Improvements therein comprised, or either of them, or any Part thereof, and all or any of the Rights, Privileges, Benefits, and Advantages of the said *George Augustus Kollmann*, in or to the same, or any or either of them, and of and in all Licences granted or to be granted under the same, or any or either of them, or to grant unto any Person or Persons as a Trustee or Trustees of the said Company hereby established, any Licence or Licences, exclusive or otherwise, to use, make, exercise, and vend the said Inventions and Improvements, or any of them, or any Part or Parts thereof respectively; and every such Sale, Transfer, Grant, and Assignment of any such Letters Patent as aforesaid, or of all or any of the Rights, Privileges, Benefits, or Advantages granted by such Letters Patent as aforesaid, or of all or any Benefit of such Licences, and any Grant or Grants of Licence and Licences to or in Trust for the said Company, shall be good, valid, and effectual to all Intents and Purposes, and shall not render void any such Letters Patent, any Provisoes or Restrictions, Proviso or Restriction, contained in any such Letters Patent, to the contrary thereof in anywise notwithstanding; and after any such Sale, Transfer, Grant, or Assignment as aforesaid, or of any of the Rights, Privileges, Benefits, or Advantages granted by any such Letters Patent as aforesaid, or of any such Licence or Licences as aforesaid, all such Letters Patent, Rights, Privileges, Benefits, Advantages, and Licences respectively shall be and the same are hereby declared to be fully, absolutely, and effectually vested in the said Company, or held or possessed by some Person or Persons as a Trustee or Trustees for the said Company, to all Intents and Purposes whatsoever; and all and every such Letters Patent as aforesaid which shall or may be sold, transferred, or assigned as aforesaid, or under or by virtue of which any such Licence or Licences shall or may be granted as aforesaid, shall thenceforth be construed and considered in such and the same

same Manner, to all Intents and Purposes whatsoever, as if no such Condition, Proviso, or Restriction as herein-before mentioned or referred to, or any other Condition, Provision, or Restriction as herein-before mentioned or referred to, or any other Condition, Provision, or Restriction against any such Sale, Transfer, Grant, or Assignment as aforesaid, had been inserted, expressed, or contained in such Letters Patent, or in any or either of them.

Company may grant Licences to use Inventions.

IV. And be it further enacted, That after any such Sale, Transfer, or Assignment of any such Letters Patent as aforesaid shall have been made unto the said Company, or to any Person or Persons, as a Trustee or Trustees for the said Company, it shall be lawful for the said Company, or the Board of Directors thereof, when appointed, to grant any Licence or Licences to any Person or Persons to make, use, exercise, or vend the said Inventions and Improvements comprised in such Letters Patent, or in any or either of them, or any Part or Parts thereof respectively, either generally or within certain limited Districts, and for such Term or Period of Time, and under such Restrictions, as to other Persons within the same District, and in all respects upon such Conditions and upon such Terms, and in all respects in such Manner, as to the said Company or Board of Directors shall seem fit.

Not to extend to incorporate the Company.

V. Provided always, and be it enacted, That nothing herein contained shall extend, or be deemed, construed, or taken to extend, to incorporate the said Company, or to relieve or discharge the said Company, or any of the Proprietors or other Holders of Shares in the said Company, from any Responsibility, Duty, Contract, or Obligation whatsoever to which by Law they, he, or she now are or is, or at any Time hereafter may be, subject or liable, either between such Company and other Parties, or as between the said Company and any of the Individuals, Proprietors or other Holders of Shares in the said Company, and others, or as between and amongst themselves, or in any other Manner whatsoever.

Expences of the Act.

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

Public Act.

VII. 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.

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