



ANNO QUINQUAGESIMO TERTIO

GEORGI II. REGIS.

Cap. 211.

An Act to enable *The Marine Insurance Company of Dublin* to sue and be sued in the Name of their Secretary or Secretaries. [13th July 1813.]

WHEREAS several Persons have formed themselves into a Society or Partnership, in the City of *Dublin*, under the Name of *The Marine Insurance Company*, and have subscribed or raised considerable Sums in order to effect Insurances in *Ireland* on Ships and Merchandize against the Perils and Dangers of the Seas, and also against Fire and on Lives, and to grant and purchase Annuities: And whereas the Public hath been greatly benefited by the Formation of such Society or Partnership, with a competent Capital to carry on the same, and a considerable Revenue is derived to His Majesty therefrom: And whereas Difficulties have arisen, and may from Time to Time arise, as well in recovering Debts which are, or shall, or may grow due to the said Company or Partnership, called *The Marine Insurance Company*, as in prosecuting Persons who may steal or embezzle the Property of, or who may commit, or be guilty of any other Offence against or with the Intent to injure or defraud the said Society or Partnership, as by Law all the several Members, Partners, or Proprietors of and in such Society or Partnership for the Time being, must in such Cases sue and prosecute by their several and distinct Names and Descriptions; wherefore, for avoiding and removing such Difficulties, and for more easily carrying into Execution the several Undertakings herein-before mentioned: 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 all Actions and Suits to be commenced or instituted by or on Behalf of the said Society or Partnership, or of the Members, Partners

[*Loc. Et Per.*]

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Actions may be brought in the Name of the Secretary, or &c.

or Proprietors interested therein for the Time being, against any Person or Persons (whether such Person or Persons is, are, or shall then be a Member or Members, Partner or Partners, or Proprietor or Proprietors of and in the said Society or Partnership, or not), or against any Body or Bodies Politic or Corporate, shall or lawfully may be commenced or instituted and prosecuted in the Name or Names of the Secretary or Secretaries for the Time being of the said Society or Partnership, or in the Name of any One Member for the Time being of the said Company, as the nominal Plaintiff or Plaintiffs, for and on Behalf of the said Society or Partnership, or of the Members thereof, or Partners or Proprietors interested therein for the Time being, and all Actions and Suits to be commenced or instituted against the said Society or Partnership, shall be commenced, instituted and prosecuted against the Secretary or Secretaries, or Member for the Time being of the said Society or Partnership, as the nominal Defendant or Defendants, for and on Behalf of the said Society or Partnership, and that all Prosecutions to be brought or instituted by or on Behalf of the said Society or Partnership, for Fraud upon or against, or for Embezzlement, Robbery, or stealing the Property of the said Society or Partnership, or for any other Offence committed against or with the Intent to injure or defraud the said Society or Partnership, or the Members thereof, or the Partners or Proprietors therein for the Time being, shall or lawfully may be so brought or instituted and carried on in the Name or Names of the Secretary or Secretaries, or Member for the Time being of the said Society or Partnership, and in all Indictments and Informations it shall be lawful to state the Property of the said Society or Partnership to be the Property of the Secretary or Secretaries, or Member for the Time being, of the said Society or Partnership; and any Offence committed with Intent to injure or defraud the said Society or Partnership, or the Members thereof, or the Partners or Proprietors interested therein for the Time being, shall and lawfully may in such Prosecution be laid to have been committed with Intent to injure or defraud the Secretary or Secretaries, or Member for the Time being of the said Society or Partnership, and any Offender or Offenders may thereupon be lawfully convicted of any such Offence; and the Death, Resignation, or Removal, or other Act of such Secretary or Secretaries, or Member, shall not abate any such Action, Suit, or Prosecution.

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

II. And be it further enacted, That a Memorial of the Names of the several Persons being Members of the said Company, in the Form expressed in the Schedule hereunto annexed, shall be enrolled upon Oath in the High Court of Chancery in that Part of the United Kingdom called *Ireland*, within Three Months after the passing of this Act; and when any Transfer of any Share or Shares of any Member of the said Company shall be made, a Memorial thereof shall in like Manner be enrolled as aforesaid, in the Form or to the Effect expressed in the said Schedule.

No Actions to be brought until Memorial shall have been enrolled.

III. Provided always, and be it further enacted, That until such Memorial as before mentioned shall have been enrolled in Manner herein directed, no Action shall be brought by the said Company under the Authority of this Act; and all the Members whose Names shall be expressed in the last Enrolment shall continue liable to all Actions, Suits, Judgments, and Executions, until a Memorial or Memorials of Transfer shall have been enrolled as aforesaid.

IV. Provided always, and be it enacted, That Execution upon any Judgment in any such Action obtained against the Secretary or Secretaries, or Member for the Time being, of the said Company, whether as Plaintiff or Plaintiffs, or Defendant or Defendants, may be issued against any Member or Members for the Time being of the said Company: Provided always, that every such Secretary or Secretaries, or Member in whose Name any such Action or Suit shall be commenced, prosecuted, or defended, and that every such Member or Members, against whom Execution upon any Judgment obtained in any such Action shall be issued as aforesaid shall always be reimbursed and paid out of the Funds of the said Company all such Costs and Charges as by the Event of any such Proceedings he or they shall be put unto or become chargeable with.

If Execution upon Judgment be issued against any Member of the Society he is to be reimbursed his Expences.

V. And be it further enacted, That the Provisions contained in this Act shall extend, and be construed to extend, to the said Society, or Partnership, called *The Marine Insurance Company*, at all Times during the Continuance of the same, whether the same from Time to Time hath been, or be now, or shall be hereafter composed of all or some of the Persons who were the original Members or Partners thereof, or of all or some of those Persons, or shall be composed altogether of Persons who were not original Members or Partners of the same.

Act to be at all Times valid, though the Society should be composed entirely of new Members.

VI. Provided always, That nothing herein contained shall extend, or be deemed, construed, or taken to extend to incorporate the said Society or Partnership, or to relieve or discharge the said Society or Partnership, or any of the Members thereof, or Partners, or Proprietors therein for the Time being respectively from any Responsibility, Contracts, Duties, or Obligations whatsoever, which by Law they may now, or at any Time hereafter be subject or liable to, either as between such Society or Partnership and others, or between them, or any of the individual Members of such Society or Partnership and others, or among themselves, or in any other Manner whatsoever.

Act not to incorporate or relieve from Responsibility.

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, without being specially pleaded.

Public Act.

SCHEDULE referred to by this Act.

MEMORIAL of the Names of the Members of the Dublin Marine Insurance Company, enrolled pursuant to an Act of Parliament passed in the Fifty-third Year of the Reign of His Majesty King George the Third, intituled "An Act to enable the Marine Insurance Company of Dublin to sue and be sued in the Name of their Secretary."

A. B. Secretary of the above-named Company, maketh Oath, that the above-written Memorial doth contain the Names of all the present Members of the said Company, as the same appear in the Books of the said Company.

MEMORIAL of the Name or Names of the Person or Persons appearing to be Assignee or Assignees of any Share or Shares in The Dublin Marine Insurance Company, since the _____ Day of _____; and of the Name or Names of the Person or Persons of whose Share or Shares the Person or Persons first-mentioned is or are Assignee or Assignees.

A. B. of _____

Assignee of the Share of C. D.

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