



ANNO QUADRAGESIMO OCTAVO

# GEORGII III. REGIS.

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## *Cap. 96.*

An Act to enable the *Commercial Insurance Company* of *Dublin* to sue and be sued in the Name of their Secretary. [3d June 1808.]

**W**HEREAS several Persons have formed themselves into a Society or Partnership, in the City of *Dublin*, under the Name of the *Commercial 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 Society or Partnership, called the *Commercial 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

[*Loc. & Per.*]                      20 N                      more

Actions may  
be brought in  
the Name of  
the Secretary.

more easily carrying into Execution the several Undertakings hereinbefore mentioned ; may it 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, 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, 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 for the Time being of the said Society or Partnership, as the nominal Defendant for and on the 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 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 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 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, shall not abate any such Action, Suit, or Prosecution.

Act not to incorporate or  
relieve from  
Responsibility.

II. 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 the or any of the

the individual Members of such Society or Partnership and others, or among themselves, or in any other Manner whatsoever.

III. And be it further enacted, That this Act shall be deemed and taken Public Act, to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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