



ANNO QUINTO & SEXTO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. cxiii.*

An Act to enable the Court of Chancery to appoint a Person or Persons to sue on behalf of the Copartnership of Bankers lately carrying on Business under the Firm of "The Imperial Bank of *England*," in lieu of the public Officer.

[10th *August* 1842.]

**W**HEREAS a certain Copartnership of Bankers, under the Firm of "The Imperial Bank of *England*," was established by virtue of the Provisions of an Act made and passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for the better regulating Copartnerships of certain Bankers in England; and for amending so much of an Act of the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled 'An Act for establishing an Agreement with the Governor and Company of the Bank of England, for advancing the Sum of Three Millions towards the Supply for the Service of the Year One thousand eight hundred,' as relates to the same: And whereas such Copartnership has become insolvent, and Receivers have been appointed by the High Court of Chancery to collect and get in the Estate and Effects of such Copartnership: And whereas Doubts exist*

[*Local.*]

36 *H*

as

Power to Receiver to sue and act as public Officer under the Sanction of the Court of Chancery.

as to Proceedings to be taken by or on behalf of such Copartnership in certain Cases, and it is expedient to provide Means of recovering the Estate of such Copartnership in certain Cases; be it therefore 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 from and after the passing of this Act it shall and may be lawful for any Person or Persons who now is or are or who at any Time or Times hereafter may be appointed for the Purpose of collecting and getting in the Estate and Effects and other Assets of the said Copartnership, in any Suit or Suits touching or concerning the said Copartnership which now is or are or which may at any Time or Times hereafter be instituted in the High Court of Chancery, in his or their own Name or Names, under the Sanction and by the Direction of the said Court, to take all Proceedings at Law and otherwise for the Recovery of the Property, Debts, and Effects, or other Assets of the said Copartnership, and do all other Acts, Matters, and Things relating thereto, as fully and effectually as if the Person or Persons so appointed or to be appointed as aforesaid had been duly appointed and returned the public Officer or Officers of the said Copartnership in manner by the said recited Act directed; and every Person or Persons so appointed or to be appointed as aforesaid shall be indemnified out of the Estate and Effects of the said Copartnership in respect of all and every the Proceedings, Acts, Matters, and Things so to be taken and done as aforesaid: Provided always, that nothing herein contained shall extend to empower any such Person or Persons to take any Proceedings at Law or otherwise against any Person as being a Member of the said Copartnership, in respect of any Call or other Contribution due or alleged to be due from any such Person as such Member as aforesaid, or against the Representatives of any deceased Member of the said Copartnership, in respect of any such Calls or Contribution.

Act not to authorize Receiver to sue for Calls.

Application of Monies to be received.

II. And be it enacted, That the Monies received and to be received by any Receiver or Receivers so appointed or to be appointed as aforesaid on account of the said Copartnership, and all Monies to be received by virtue of this Act, shall be applied, in the first place, in Payment of the Costs, or of such Part (if any) of the Costs of and attending the several Applications for and the passing this Act, and of and attending the carrying into effect of this Act, as to the said Court of Chancery shall seem reasonable, regard being had to all the Circumstances of the Case; and as the said Court shall, upon the Petition or Motion of such Receiver or Receivers, after due Notice given thereof, respectively order and direct; and that the Residue shall be held and applied by the Receiver and Receivers for the Time being subject to the Orders of the High Court of Chancery.

Court of Chancery to make Order for Taxation of Costs.

III. And be it enacted, That it shall and may be lawful to and for the said Court from Time to Time to make such Order or Orders for the Payment of all Costs, Charges, and Expences which may be incurred under or by virtue of the Powers of this Act, or in any Manner

Manner incidental thereto, by and out of the Monies, Estate, and Effects to be so got in and recovered as aforesaid, and also for the Distribution of the Residue or any Part thereof unto and amongst the Creditors of such Copartnership, in such Manner and Order of Distribution, and to make all such other Orders for regulating and administering the Estate and Effects of such Copartnership, as the said Court shall think fit.

IV. And be it enacted, That this Act shall be a Public Act, and Public Act shall be judicially taken notice of as such.

---

LONDON : Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1842.

MEMORANDUM

On the 15th of May 1944, the following information was received from the ...

The above information was obtained from the ...

It is noted that the above information was obtained from the ...