ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

Cap. lxvi.

An Act for enabling the Proprietors of the Commercial Buildings, in the Town of *Belfast*, to sue and be sued in the Name of their Secretary, and for the Regulation of the said Buildings, and the Property thereof. [28th *May* 1821.]

WHEREAS several Persons have, at a great Expence, erected and established certain spacious Buildings in the Town of *Belfast*, in the County of *Antrim*, and usually called or known by the Name of *The Commercial Buildings*, for the Meeting and Resort of Merchants, Bankers, and Persons interested in and connected with the Trade and Commerce of the said Town, and which Institution and Establishment has been found to be productive of great Convenience to the Proprietors, Merchants, Bankers, and other Traders, and to the general Mercantile Interests of the said Town and its Vicinity: And whereas many Difficulties have occurred or may occur in relation to the Property of the said Institution and Establishment, from the Number of Proprietors in whom the same is vested, and for want of efficient Means of protecting the Property of the said Establishment, or of enforcing proper Regulations for the general Management thereof, which cannot be remedied without the Aid and 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 all Actions and Suits to be brought, commenced, or carried on, for or on Behalf of the said Proprietors, for the Recovery of any Claims or Demands now due, or which may hereafter become due to the said Proprietors, in relation to the said Commercial Buildings, or for the enforcing any Obligations or Engagements which heretofore have been, or which may hereafter be entered into by or with the said Proprietors, as such, in relation to the said Buildings, or with each other, in relation to the same and the Management thereof; and all other Actions and Suits in relation to the Property, or Conduct or Management in the said Commercial Buildings, and all Proceedings at Law or in Equity against any Person or Persons, or Body or Bodies Politic or Corporate for any Debts, Claims, or Demands, or upon any Obligation or Agreement, in relation to any of the Concerns of the said Buildings, shall and lawfully may be commenced, instituted, and maintained, and carried on and prosecuted, and Verdicts, Judgments, and Executions, and all other Proceedings had thereon, in the Name of the Secretary for the Time being of the said Proprietors, as the nominal Plaintiff for or on Behalf of the said Proprietors; and that all Actions, Suits, and Proceedings at Law or in Equity, in relation to the said Buildings, to be brought, commenced, or carried on, by any Person or Persons, or Body or Bodies Politic or Corporate, against the said Proprietors, for the Recovery of any Claim or Demand, in relation to the said Buildings, shall or lawfully may be commenced, instituted, and prosecuted against the Secretary of the said Proprietors for the Time being, who shall in every Case be the nominal Defendant for and on Behalf of the said Proprietors; and that all such Actions, Suits, Processes, Verdicts, Judgments, and Executions, and all other Proceedings had thereon, or relating thereto, by or against the said Secretary, for and on Behalf of or against the said Proprietors in relation to the said Buildings, or the Establishment, Keeping-up, Care, and Management thereof respectively, shall be as valid and effectual as if all the Proprietors of the said Buildings had been Plaintiffs or Defendants in such Actions, Suits, Petitions, or Proceedings, and had been actually named as such therein, and had been or were all living during the Continuance of such Actions, Suits, or Proceedings respectively, and until the same had been respectively discharged and satisfied, and finally concluded; any Statute, Law, or Custom, to the contrary notwithstanding.

Actions may be brought by or against the Proprietors, or in the Name of their Secretary.

II. And be it further enacted, That all Prosecutions for any Fraud upon or against the said Proprietors, in relation to the said Commercial Buildings, or for any Robbery of, or for stealing or embezzling any Money, Goods, or Chattels, or other Property of the said Establishment, or for any other Offence committed against or with Intent to defraud or injure the said Proprietors, in relation to the said Establishment, shall and lawfully may, in like Manner be brought or instituted, and prosecuted and carried on in the Name of the Secretary of the said Proprietors for the Time being; and that in all Indictments and Informations for the feloniously taking, stealing, or embezzling of any Money, Goods, Chattels, or Property of or belonging

Prosecutions for Offences may be instituted in like Manner.

to the said Establishment, such Money, Goods, Chattels, or Property may be laid to be the Property of the Secretary to the Proprietors of *The Belfast Commercial Buildings*, and it may be stated that the same were feloniously taken, stolen, or embezzled from the said Secretary; and that any Crime or Offence committed with Intent to injure or defraud the said Proprietors in relation to the said Buildings, shall and lawfully may in any Prosecution or Proceeding, be stated, charged, and laid to have been done and committed with Intent to injure or defraud the Secretary to the Proprietors of *The Belfast Commercial Buildings*; and that any Offender or Offenders may, upon any such Indictment, Information, Prosecution, or Proceeding be lawfully convicted in like Manner as if all the Proprietors of the said Buildings had been named in such Indictment, Prosecution, or Proceeding, and had been or were all living during the Continuance, and until the Conclusion of such Indictment, Information, Prosecution, or Proceeding.

Suits and Prosecutions not to abate by the Death of the Secretary.

III. Provided always, and be it further enacted, That neither the Death, Resignation, nor Removal, nor any other Act of any Secretary to the said Proprietors for the Time being, who shall have commenced or instituted any such Action, Suit, Petition, or Proceeding aforesaid, or against whom any such Action, Suit, or Proceeding shall have been commenced or instituted, or by whom and in whose Name or Names any Indictment, Information, Prosecution, or Proceeding shall have been preferred, commenced, or prosecuted, shall abate any such Action, Suit, Petition, Indictment, Information, Prosecution, or Proceeding aforesaid, but that every such Action, Suit, Petition, Indictment, Information, Prosecution, or Proceeding, shall and may continue to be carried on and prosecuted in the Name of the Secretary to the said Proprietors for the Time being.

Memorial of Name of Party shall be enrolled.

IV. And be it further enacted, That a Memorial of the Name of the Secretary to the said Proprietors for the Time being, in the Form expressed in the Schedule to this Act annexed, shall be enrolled upon Oath in the High Court of Chancery in *Ireland*, within Three Months after the passing of this Act; and whenever it shall happen from Time to Time that any new or other Secretary shall be appointed, a Memorial of the Name of such Secretary shall in like Manner be enrolled as aforesaid, in the Form or to the Effect expressed in the said Schedule; and that the Name of the Person who shall be Secretary for the Time being, shall be written and put up, and shall always remain in some conspicuous Place in the said Commercial Buildings, so that the same may be seen and known by all Persons having any Transactions or Dealings with the Proprietors thereof.

A Memorial of the Names of the Proprietors, and of the Transfer of Shares, to be enrolled in Chancery.

V. And be it further enacted, That a Memorial of the Names of the several Persons being Proprietors of the said Commercial Buildings, in the Form expressed in the Schedule hereto annexed, shall be enrolled upon Oath in the High Court of Chancery of *Ireland*, within Twenty-eight Days after the passing of this Act; and when any Transfer of any Share or Shares of any of the said Proprietors shall be made, a Memorial thereof shall in like Manner within Three Calendar Months afterwards, be enrolled as

as aforesaid in the Form or to the Effect expressed in the said Schedule.

Execution may be issued against any Proprietor, and he may be reimbursed.

VI. And be it further enacted, That whenever any Judgment in any Action or Suit shall be obtained against the Secretary to the said Proprietors for the Time being, whether as Plaintiff or Defendant, Execution therein may be issued against any Proprietor or Proprietors for the Time being of the said Commercial Buildings: Provided always, that every such Secretary in whose Name any such Action or Suit shall be commenced, prosecuted, or defended, and all and every such Proprietor or Proprietors against whom any Execution upon any such Judgment obtained in any such Action or Suit shall be issued as aforesaid, shall be always reimbursed and paid out of the Funds of the said Proprietors all such Sum and Sums of Money, together with Interest thereon, and all such Costs, Charges, Damages, and Expences, as he or they shall pay or be put unto, or become chargeable with, by the Event of any such Proceedings, or by reason of any such Execution as aforesaid, or otherwise such Sum or Sums of Money, Costs, Charges, Damages, Interest, and Expences, shall be made good by the Proprietors for the Time being of the said Buildings.

Proprietors not to be deemed a Corporation.

VII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed, construed, or taken to extend, to incorporate the Proprietors of the said Commercial Buildings, or to relieve or exempt the said Proprietors 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 Proprietors and others, or among themselves, or in any other Matter whatsoever.

General Meeting of Proprietors.

VIII. And be it further enacted, That on the Third *Thursday* of the Month succeeding to that on which this Act shall be passed, a General Meeting or Assembly of the Proprietors of the said Commercial Buildings shall be held at the said Commercial Buildings, or at some other convenient Place within the said Town of *Belfast*, which shall be convened by the Secretary for the Time being, by Notice under his Hand, and shall be advertised Seven Days previously in One or more Newspaper or Newspapers published in the said Town of *Belfast*; and such Notice shall also be put up and affixed in some conspicuous Place in the said Buildings; and at such Meeting it shall be lawful for the said Proprietors, or the major Part of them present, to make, declare, and establish such Rules and Regulations as to them may seem meet and proper for the Superintendance, good Government, and Management of the said Institution and the Funds thereof, and for the holding future General Meetings of the Proprietors, and for regulating the Election and Appointment and Power of the Committee of the said Proprietors, and of the Treasurer, Secretary, and all other Officers, having or to have the Management, Conduct, or other Interference of or in the said Establishment or Institution; which said Rules and Regulations, and also all and every other Rules and Regulations to be hereafter made, declared, or established by the said Proprietors, at any future General Meeting thereof, to be

be duly had and holden under the Directions of the then existing Rules and Regulations of the said Proprietors, being respectively reduced into Writing, shall be binding upon and observed by the said Proprietors, and by the Treasurer, Secretary, and other Officers and Servants of the said Establishment or Institution; provided such Rules and Regulations be not repugnant to the Laws of that Part of the United Kingdom called *Ireland*, or to the Provisions and Directions in this Act contained.

Secretary may take or grant Leases in Trust for Proprietors, &c.

IX. And be it further enacted, That it shall and may be lawful for the Secretary for the Time being to the said Proprietors, in Trust for and on Behalf of the said Proprietors, to take and hold any original or renewed Lease or Leases of any Ground, Tenements, or Hereditaments, within the said Town of *Belfast*, as Lessee, or as Assignee of a Lessee or Lessees, and also to grant Leases or otherwise to dispose of any Part of the Ground, Tenements, or Hereditaments, so leased or assigned to him, and that every Lease and every Assignment, or Renewal of any Lease so made, granted, or assigned to any such Secretary, in Trust for and on Behalf of the Proprietors, shall, without any mesne Assignment or other Act whatever of such Secretary, his Executors, Administrators, or Assigns, actually be and become vested in every succeeding Secretary to the said Proprietors for the Time being appointed, and registered conformably to this Act, in Trust for the said Proprietors as aforesaid, and every such succeeding Secretary shall be as effectually possessed of and entitled to Property of every such Lease in Trust for the said Proprietors, and shall have as full Power and Authority to grant Leases, or otherwise to dispose of the same as the Secretary to whom the original Lease or Leases, or Assignments of Leases were made, granted, or assigned: Provided always, that no such Lease or Assignment shall be taken or received, or granted by any Secretary, without the Order and Consent of the Majority of Proprietors, upon the Vote of such Proprietors, at a General Meeting assembled, which Meeting shall have been convened for the express Purpose of taking the same into Consideration: And also provided that the Premises so to be taken by the said Proprietors shall be applied and applicable only to the Purposes of the said Institution or Establishments, out of the said Commercial Buildings, and that the Whole of the Ground, Tenements, and Hereditaments to be taken by or granted to the said Secretary, for the said Purposes, shall not exceed the Value of Five Hundred Pounds *per Annum* at the Time of the making of any such Lease or Assignment.

What Proprietors shall be entitled to vote, &c.

X. Provided always, and be it further enacted, That no Proprietor on whose Share or Shares the entire Amount of all Instalments due thereon shall not have been paid, shall be entitled to vote or otherwise interfere at any General Meeting or Assembly to be holden by virtue of this Act, or under the Rules and Regulations to be made in pursuance thereof, and that no Person who, at any Time after the passing of this Act, may become a Proprietor by Transfer, shall be entitled to vote at any such General Meeting, unless he shall have been registered as a Proprietor at least Three Calendar Months previous to such Meeting, and that no Proprietor shall be

entitled to vote by Proxy, but that every Proprietor shall be entitled to a Vote for each Share that he may hold not exceeding Five in the Whole; and in case the Number of Votes shall be equally divided upon any Question coming before any General Meeting or Assembly, the Chairman who shall be chosen to preside thereat shall, besides his Vote or Votes as a Proprietor, be entitled to a casting Voice: Provided always, that no Rule or Regulation to be made, declared, or established at the first mentioned General Meeting or Assembly to be held under this Act, or at any future General Meeting or Assembly, shall be repealed, revoked, or annulled at any General Meeting or Assembly, without the Consent of Two-thirds of the Proprietors present, such Two-thirds not being less in Number than Fifteen of the Proprietors present at the Meeting or Assembly at which the Question for such Repeal or Revocation shall be brought forward, nor shall any Question for such Repeal or Revocation be entertained or discussed unless Notice thereof shall have been expressly given in the Summons for such Meeting.

Forfeitures of Shares on which all Instalments shall not be paid within Twelve Calendar Months.

XI. And be it further enacted, That every Person who at the Time of the passing of this Act shall be a Proprietor of the said Commercial Buildings, shall within Twelve Calendar Months next after the passing of this Act, pay to the Treasurer of the said Proprietors, the full Amount of all Instalments on his Share or Shares in the said Institution or Establishment, amounting in the Whole to One Hundred Pounds for each Share, together with legal Interest thereon, from the Time when the several Instalments shall have become or shall become due and payable up to the Time of the Payment thereof, and that every Person who, at the Expiration of the said Twelve Calendar Months, shall not have paid the whole of such Instalments and Interest, shall cease to be a Proprietor by virtue of the Share or Shares on which the Instalments and Interest shall not have been paid as aforesaid, and shall not be entitled to any Dividend, Profit, or Property whatsoever, from or in the said Commercial Buildings, under or by virtue or in respect of such Share or Shares, but the same shall be for ever forfeited to the Proprietors of the said Commercial Buildings: Provided always, that Notice of this Enactment shall be published in the *Dublin Gazette* Three Times at least within Three Calendar Months next after the passing of this Act, and that Notice of the several Shares on which such Forfeiture will be incurred shall be published in the said *Dublin Gazette* One Calendar Month at least before the Expiration of the said Twelve Calendar Months next after the passing of this Act, distinguishing the Number of such Share, and in whose Name the same is holden.

Proprietors may require Secretary to call Special General Meetings.

XII. And be it further enacted, That it shall and may be lawful for any Twenty-one or more of the said Proprietors, by Notice under their Hands to the Secretary for the Time being, to require the said Secretary to call a Special General Meeting or Assembly of the said Proprietors, and the said Secretary shall thereupon convene such Meeting or Assembly, specifying in the Summons for the same the Reason, Occasion, and Intention of requesting the same, such Reason, Occasion, and Intention being first specified in the Requisition

tion so to be made to him, and thereupon such Meeting shall be held accordingly: Provided always, that no such Special General Meeting shall be held at a shorter Notice than Seven Days, to be given by Advertisement in One or more *Belfast* Papers, and to be affixed in the said Commercial Buildings.

Registering of Shares.

XIII. And for the better Security of the several Proprietors of the said Institution or Establishment, as to their respective Shares therein, be it further enacted, That it shall and may be lawful for the Committee of the said Proprietors, and they are hereby required, as soon as conveniently may be after the passing of this Act, to cause the Names and proper Additions of the several Persons claiming to be Proprietors, whether as original Subscribers, or as deriving their Title from such original Subscribers, to be verified in Manner herein-after directed, with the Number of Shares standing in their respective Names, and also the proper Number by which every Share is distinguished, to be fairly and distinctly entered in a Book to be kept by the Secretary to the said Proprietors, and after such Entry made, to issue to every such Proprietor who may require the same, a Certificate of such Entry for each Share, certified under the Hands of the Treasurer and of such Secretary, and countersigned by One of such Committee, and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his, her, or their Executors, Administrators, or Assigns, to the Share therein specified, but the Want of such Certificate shall not hinder or prevent the Owner or Proprietor of any Share or Shares from selling or disposing thereof; and if it shall happen that any such Certificate shall become defaced, worn out, or damaged, or shall be ascertained to be lost or destroyed, then and in such Case another Certificate shall be delivered out, signed and authenticated in like Manner; provided that for every Certificate the Secretary for his Trouble shall receive the Sum of Two Shillings and Sixpence, and no more.

Transfer of Shares.

XIV. And in order to remedy the Inconvenience which has arisen or may arise by the frequent Transfer of Shares in the said Institution or Establishment, be it further enacted, That every Person so claiming or to claim any Share in the said Institution or Establishment, either as an original Subscriber, or by reason of any Transfer, Inheritance, or Succession, by, from, or under any original Subscriber, shall produce and lay before the Committee of the said Institution, or such Person or Persons as they may appoint for that Purpose, the Assignment, Transfer, Probate, Administration, or other Instrument or Document vesting such Share, or affecting any Change in the Property of such Share or Shares, and that upon the Production thereof, or of such other Evidence as may be satisfactory to the said Committee, or to such Person or Persons to be so appointed by them as aforesaid, such Share or Shares, and the Transfer and Alienation thereof, vesting the same in the Person or Persons entitled thereto; and also every future Transfer or Alienation thereof, shall be forthwith entered in a proper Book to be kept for that Purpose, in the Name or Names of the Person or Persons in whom such Share or Shares shall have been, or shall be so vested, or to whom the same shall have been or shall be so transferred, or have so passed as aforesaid;

said; and that no Person or Persons having so acquired or become possessed, or who shall hereafter acquire or become possessed of any Share or Shares in the said Institution or Establishment, shall be entitled to vote or interfere in any Meeting or Assembly of the Proprietors of the said Institution or Establishment, nor shall be entitled to any Dividend or Profit from the said Institution, or to any other Privilege, Benefit, or Advantage whatsoever to arise therefrom, unless such Person or Persons shall have complied with the Requisitions herein-before in that Behalf enacted and set forth.

Yearly Account and Declaration of Dividends.

XV. And be it further enacted, That the Secretary of the said Proprietors shall, and he is hereby required, at a General Meeting or Assembly to be summoned and held at some Time in the Month of *January* in every Year, to exhibit a regular and correct Statement of the Accounts of the said Institution or Establishment upon which the Dividend, if any, to which each Share shall be entitled, after paying all Expences and Charges whatsoever, attaching to the Institution, shall be declared and made payable by the Vote of such General Meeting or Assembly, and such Dividend shall be accordingly paid to each Proprietor, in proportion to the Number of Shares he may hold, of which Dividend, and the Time of Payment thereof, Notice shall be given in One or more Newspaper or Newspapers published at *Belfast*; provided always, that all Arrears of Dividends, which shall remain unclaimed for the Period of Twenty-one successive Years, shall be forfeited, and the Amount shall be applied to the General Fund of the Proprietors.

Shares shall be deemed Personal Estate.

XVI. And be it further enacted, That all and every the Share and Shares in the said Institution or Establishment shall be and be deemed to be Personal Estate and Property, and shall be transmissible, and pass as such, and not as or in the Nature of Real Estate.

Entry of Orders and Proceedings.

XVII. And be it further enacted, That all Orders and Proceedings of the said Proprietors at their several and respective General Meetings or Assemblies, or at any Special General Meeting or Assembly, and all Orders and Proceedings of their Committees at their several Meetings, shall be entered in a Book or Books to be kept for such Purposes, and shall be signed respectively by the Chairman of any such General Meeting or Assembly, or by the President or other Chairman of such Committee, shall be deemed and taken to be Originals, and shall be admitted as Evidence in all Courts and Places whatsoever.

Proprietors not to carry on Trade.

XVIII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Proprietors, in their Capacity of Proprietors of the said Institution or Establishment, to engage in, transact, or carry on any Trade, Business, or Manufacture whatsoever, save and except so far as may be necessary for repairing, maintaining, and conducting the said Commercial Buildings.

Act extended to future Proprietors.

XIX. And be it further enacted, That this Act and the Powers and Provisions herein contained, shall extend and be at all Times construed

construed to extend, to all Persons for the Time being Proprietors of the said Commercial Buildings, whether the same consists of all or any of the Persons now Proprietors thereof, or any Persons who may hereafter become Proprietors thereof with them or any of them, or any other Persons who may hereafter become and be Proprietors of the said Commercial Buildings.

Public Act.

XX. 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.

SCHEDULE referred to by this Act.

No. I.

MEMORIAL of the Name of the "Secretary to the Proprietors of the Belfast Commercial Buildings."

(*A. B.*) or *E. F.* in the Place of *A. B.* (dead, removed, *as the Case may be.*)

No. II.

MEMORIAL of the Names of the Proprietors of "The Belfast Commercial Buildings," on the Day of One thousand eight hundred and , inrolled pursuant to an Act of Parliament passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*insert Title of this Act.*]

No. III.

A. B., Secretary of the above-named Proprietors, maketh Oath, That the above-written Memorial doth contain the Names of all the present Proprietors of the Belfast Commercial Buildings, as the same appear in the Books of the said Proprietors.

No. IV.

A MEMORIAL of the Name or Names of the Person or Persons appearing to be Assignee or Assignees of any Share or Shares in the Belfast Commercial Buildings, since the Day of One thousand eight hundred and , 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 , &c. Assignee of Shares of *C. D.*

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