



**BERMUDA
1874 : 3**

BONDS AND PROMISSORY NOTES ACT 1874

ARRANGEMENT OF SECTIONS

- 1 Bonds and promissory note may be assigned
- 2 Saving for law relating to bills of exchange
[16 July 1874]

WHEREAS by an Act for the better recovery of debts due on promissory notes and the assignment of bonds, obligations and notes passed in the year 1786 [*an Act for the better recovery of Debts due on Promissory Notes, and the assignment of Bonds, Obligations and Notes*], provision is made for the assignment of bonds and the endorsement of promissory notes for the assignees or endorsees to maintain actions thereon in their own names, with a proviso that in any suit on any such bond or note the plaintiff shall allow a discount of all demands which the defendant can prove either against the plaintiff or against the first obligee before notice of such assignment was given to the defendant:

AND WHEREAS divers provisions of the said Act are contrary to the usage of trade and the general law merchant, and it is deemed expedient to repeal the said Act, and substitute other provisions therefor:

[words of enactment omitted]

Bonds and promissory note may be assigned

1 It shall be lawful for any person, or body politic or corporate, to assign by endorsement or otherwise any bond or other obligation by which the payment of money may be secured to such person, or body politic or corporate, to any other person or body politic or corporate, and the assignee or endorsee of such bond or other obligation, his and their executors, administrators or successors, shall by virtue of such assignment or endorsement have lawful power to commence and

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prosecute any suit at law in his or their own name or names, for the recovery of any debt due by such bond or other obligation as the first obligee, his executors or administrators might or could lawfully have done:

Provided that in any suit under this section, on any such bond or other obligation so made, assigned or endorsed, the plaintiff shall allow the defendant to set off all lawful demands of the defendant against the original obligee, which were incurred or became due before the defendant had notice of such assignment or endorsement.

Saving for law relating to bills of exchange

2 Nothing in this Act shall affect the law relating to bills of exchange, or the respective rights or liabilities of persons consequent on the endorsement or assignment of bills of exchange.

[Amended by
1952 11]