



ANNO QUINQUAGESIMO

GEORGH III. REGIS.

Cap. 90.

An Act to enable the *Birmingham Fire Office Company* to sue in the Name of their Secretary.

[18th May 1810.]

WHEREAS several Persons have formed themselves into a Company, by the Name of *The Birmingham Fire Office*, and have subscribed or raised considerable Sums of Money, in order to effect Insurances against Loss or Damage by Fire: And whereas the Public hath been greatly benefited, by the Formation of such Institutions with competent Capitals, and a considerable Revenue is derived to His Majesty therefrom: And whereas Difficulties have arisen and may hereafter arise in recovering Debts due to the said Company, called *The Birmingham Fire Office*, and also in prosecuting Persons who may steal or embezzle the Property of the said Company, or be guilty of any other Offence against the said Company, since by Law the individual Members of the said Company must in such Cases sue and prosecute by their several and distinct Names and Descriptions; wherefore, for obviating and removing the Difficulties aforesaid, 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 carried on or instituted by or on Behalf of the said Company against any Person or Persons, Body or Bodies Politic or Corporate, shall and lawfully may be commenced or instituted and prosecuted in the Name or Names of the Person or Persons who shall be Secretary or Secretaries of the said Company at the Time when such Action or Suit shall be instituted, as the nominal Plaintiff or Plaintiffs for and on Behalf of the said Company, and all Actions and Suits to be commenced or in-

Enabling the Company to sue and be sued in the Name of their Secretary.

[Loc. & Per.]

instituted against the said Company, shall be commenced, instituted and prosecuted against such Secretary or Secretaries for the Time being of the said Company, as the nominal Defendant or Defendants for and on the Behalf of the said Company, and that all Prosecutions to be brought or instituted by or on Behalf of the said Company for Fraud upon or against the said Company, or for Embezzlement, Robbery, or stealing the Property of the said Company, or for any other Offence against the said Company, shall and lawfully may be brought or instituted and carried on in the Name or Names of the Person or Persons who shall be Secretary or Secretaries of the said Company when such Action or Suit shall be instituted; and in all Indictments and Informations it shall be lawful to state the Property of the said Company to be the Property of such Secretary or Secretaries for the Time being of the said Company, and any Offence committed with Intent to injure or defraud the said Company, shall and lawfully may in such Prosecution be laid to have been committed with Intent to injure or defraud such Secretary or Secretaries for the Time being of the said Company, 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 Suit or Prosecution.

II. And be it further enacted, That the Provisions contained in this Act shall extend and be construed to extend to the said Company, called *The Birmingham Fire Office*, 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 thereof, or of all or some of those Persons, together with some other Persons, or shall be composed altogether of Persons who were not original Members of the same.

This Act not
to extend to
incorporate
the Company.

III. Provided always, That nothing herein contained shall extend or be deemed, construed, or taken to extend to incorporate the said Company, or relieve or discharge the said Company, or any of the Members thereof, or Subscribers thereto, from any Responsibility, Duties, Contracts, or Obligations whatsoever, which by Law they now are or at any Time hereafter shall be subject or liable to, either between the said Company and others, or between the individual Members of the said Company, or any of them, and others, or amongst themselves, or in any other Manner whatsoever, except so far as the same is effected by the Provisions of this Act, and the true Intent and Meaning of the same.

Public Act.

IV. 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.

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