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GEORGI II. REGIS.

Cap. 215.

An Act to enable the *Norwich* Union Society for the Insurance of Lives and Survivorships, to sue in the Name of their Secretary, and to be sued in the Names of their Directors, Treasurers, and Secretary.

[21st July 1813.]

WHEREAS several Persons have formed themselves into a Society or Partnership under the Name of The *Norwich* Union Society for the Insurance of Lives and Survivorships, and have subscribed very considerable Sums in order to effect Insurances on Lives and Survivorships, and to grant and purchase Annuities, and for other Purposes: 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 *Norwich* Union Society for the Insurance of Lives and Survivorships," 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 Intent to injure or defraud the said Society or Partnership, as by Law all the several Subscribers or Proprietors to and in such Society or Partnership must in such Cases sue and prosecute by their several and distinct Names and Descriptions: And whereas Difficulties may from Time to

[*Loc. & Per.*]

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Time

ACTIONS and
Suits to be
commenced
in the Name
of the Secre-
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and defended.

Time arise in recovering Debts owing by the said Society to the individual Members thereof, and other Persons dealing therewith, and it is therefore expedient that such individual Members and other Persons should be hereby enabled to commence and prosecute Suits and Actions at Law, and to sue out Execution upon Judgments obtained by them against such Directors and Officers of the said Society as are herein-after mentioned; wherefore, for 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 commenced or instituted by or on behalf of the said Society or Partnership against any Person or Persons, or Body or Bodies Politic or Corporate, shall or lawfully may be commenced, 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 or on behalf of the said Society or Partnership; and that all Actions and Suits to be commenced or instituted against the said Society or Partnership shall be commenced, instituted, or prosecuted against any one or more of the Directors, or against the Treasurer or Treasurers, or against the Secretary or Secretaries for the Time being of the said Society or Partnership, as the nominal Defendant or Defendants, for and on 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 or Robbery of, or stealing the Property of the said Society or Partnership, or for any other Offence committed against, or with Intent to injure or defraud the said Society or Partnership, 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 shall and lawfully may in such Prosecution be laid to have been committed with Intent to injure and defraud the said 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 any Director or Directors, Treasurer or Treasurers, or Secretary or Secretaries of the said Society, shall not abate any such Action or Prosecution.

Execution
may issue
against such
Plaintiff or
Defendant,
or against any
other Mem-
ber.

II. Provided always, and be it enacted, That Execution upon any Judgment in any such Action obtained against the Secretary or Secretaries for the Time being of the said Society or Partnership, as Plaintiff, or against any Director or Directors, Treasurer or Treasurers, or Secretary or Secretaries for the Time being of the said Society, as Defendants, may be issued against any Director or Directors, Treasurer or Treasurers, or Secretary or Secretaries of the said Society, or against any Member or Members of the said Society, at the Option of the Party suing out such Execution: Provided always, that the Director or Directors, Treasurer or Treasurers, or Secretary or Secretaries, in whose Name any such Action or Suit shall be commenced, prosecuted, or defended, and the Member against whom Execution upon any Judgment obtained in any such Action shall be issued

as aforesaid, shall always be reimbursed and paid out of the Funds of the said Society or Partnership all such Costs and Charges as, by the Event of any such Proceedings, he or they shall be put unto or become chargeable with.

III. And be it further enacted, That a Memorial of the Names and Descriptions of the several Persons being Directors, Treasurers, and Secretaries of the said Society or Partnership, in the Form expressed in the Schedule hereunto annexed, shall be enrolled upon Oath in the High Court of Chancery, within Three Months after the passing of this Act; and when any Director, Treasurer, or Secretary shall die, resign, or be removed, a Memorial of the Name or Names of such Person or Persons as shall succeed such Director, Treasurer, or Secretary so dying, resigning, or being removed, shall in like Manner be enrolled as aforesaid, in the Form or to the Effect expressed in the said Schedule.

Memorial to be enrolled in Court of Chancery of the Names and Descriptions of the Directors, &c.

IV. Provided always, and be it further enacted; That until such Memorial as before mentioned shall have been enrolled in Manner herein directed, no Action shall be brought by the said Society or Partnership under the Authority of this Act; and when any Director, Treasurer, or Secretary of the said Society or Partnership shall resign or be removed, or shall die, such Director, Treasurer, or Secretary so resigning or removed, and the Executors or Administrators of such Director, Treasurer, or Secretary so dying, shall be liable to Execution upon any Judgment under and by virtue of this Act, until a Memorial of the Name and Description of the succeeding Director, Treasurer, or Secretary, shall have been duly enrolled in pursuance of this Act.

Until Memorial shall be enrolled, no Action shall be brought.

V. 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 Subscribers thereto 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 individual Members of such Society or Partnership or others or among themselves, or in any other Manner whatsoever, except so far as the same is affected by the Provisions of this present Act, and the true Intent and Meaning of the same.

Act not to incorporate the Society.

VI. And be it further enacted, That this Act and the Provisions and Powers herein contained shall extend and be construed to extend to the said Society or Partnership called 'The Norwich Union Society for the Insurance of Lives and Survivorships,' whether such Society or Partnership be composed of all or of some of the Persons who at the Time of passing this Act are or shall be Members of the said Society or Partnership, or be composed of all or of some of those Persons together with some other Persons, or be composed of Persons all of whom shall have become Members of the said Society or Partnership after the passing of this Act.

Act to extend to Society when consisting of other Persons.

VII. 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.

Public Act.

SCHEDULE

SCHEDULE to which this Act refers.

MEMORIAL of the Names and Descriptions of the Directors, Treasurers, and Secretaries of the Norwich Union Life Insurance Society, enrolled pursuant to an Act of Parliament passed in the Fifty-third Year of the Reign of His present Majesty, entitled [*Here insert the Title of this Act.*]

A. B. Secretary of the above-named Society maketh Oath, that the above-written Memorial doth contain the Names and Descriptions of all the present Directors, Treasurers, and Secretaries of the said Society or Partnership, as the same appear in the Books of the said Society or Partnership, and as this Deponent verily believes.

MEMORIAL of the Name or Names, Description or Descriptions, of the Person or Persons appearing to be Successor or Successors of any Director, Treasurer, or Secretary, or Directors, Treasurers, or Secretaries of the Norwich Union Life Insurance Society, since the Day of and of the Name or Names of the Person or Persons to whom the Person or Persons first mentioned is or are Successor or Successors, enrolled pursuant to an Act of Parliament passed in the Fifty-third Year of His present Majesty, entitled [*Here insert the Title of this Act.*]

A. B. of Successor to C. D. of
[*add whether Director, Treasurer, or Secretary.*]

A. B. Secretary of the above-named Society, maketh Oath, that the above-written Memorial doth contain the Name or Names, Description or Descriptions of the Successor or Successors of any Director, Treasurer, or Secretary, or Directors, Treasurers, or Secretaries of the Norwich Union Life Insurance Society, since the Day of ; and of the Name or Names of the Person or Persons to whom the Person or Persons first mentioned is or are Successor or Successors, as the same appear in the Books of the Society, and as this Deponent verily believes.