



ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 216.

An Act to enable the *Norwich* Union Society for Insurance against Loss by Fire 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, under the Name of 'The *Norwich* Union Society,' for Insurance against Loss by Fire, and have raised considerable Sums of Money in order to insure each other, and all Persons becoming Members of the said Society, from and against all Loss and Damage happening by means of Fire to Buildings, Houses, Goods, Merchandizes, and Effects belonging to any Member or Members of the said Society in any Part or Parts of *Great Britain*, other than and except the City of *London* and the Liberties thereof, and the several other Places within the Weekly Bills of Mortality: And whereas all Persons insuring in or with the said Society are Members thereof to all Intents and Purposes, and entitled to all the Advantages thereof: And whereas the Public hath been greatly benefited by the Formation of such Society with a competent Capital to carry on the Concerns thereof, and a considerable Revenue is derived to His Majesty therefrom: And whereas Difficulties have arisen, and may from Time to Time arise, in recovering Debts due to the said Society called 'The *Norwich* Union Society,' and also 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, since by Law the individual Members of the said Society must in such Cases sue and prosecute by their several and distinct Names and Descriptions: And whereas Difficulties may from Time to Time arise in recovering Debts owing by the said Society to the individual Members thereof,

[*Loc. & Per.*]

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and

ACTIONS and Suits to be commenced in the Name of the Secretary, and defended.

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

Execution may issue against Plaintiff or Defendant, or against any other Member, who shall be reimbursed out of the Funds of the Society.

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 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 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

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, 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 Description 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 under the Authority of this Act; and when any Director, Treasurer, or Secretary of the said Society 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 to relieve or discharge the said Society or any of the Members thereof 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 and others, or between the or any of the individual Members of such Society and 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 the Provisions contained in this Act shall extend and be construed to extend to the said Society called *The Norwich Union Society*, whether such Society 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 be composed of all or 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 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 to which this Act refers.

MEMORIAL of the Names and Descriptions of the Directors, Treasurers, and Secretaries of the *Norwich* Union Fire-Insurance Society, enrolled pursuant to an Act of Parliament passed in the Fifty-third Year of the Reign of His present Majesty, intituled [*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, as the same appear in the Books of the said Society, and as this Deponent very believes.

MEMORIAL of the Name or Names and 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 Fire-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 the Reign of His present Majesty, intituled [*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 and Description or Descriptions of the Successor or Successors of any Director, Treasurer, or Secretary, or Directors, Treasurers, or Secretaries, of the *Norwich* Union Fire-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.

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