



ANNO QUINQUAGESIMO QUARTO

GEORGI II. REGIS.

Cap. 9.

An Act to enable *The Sun Fire Office Company* to sue and be sued in the Name of their Treasurer, under certain Regulations. [17th *December* 1813.]

WHEREAS several Persons have formed themselves into a Society or Partnership under the Name of *The Sun Fire Office Company*, and have subscribed or raised considerable Sums, in order to effect Assurances against Fire, and have carried on the Business of insuring Houses and other Property from Loss by Fire for upwards of a Century: And whereas the Public hath been greatly benefited by the Formation of such Society or Partnership, and a considerable Revenue hath been and is derived to His Majesty therefrom: And whereas Difficulties have arisen and may from Time to Time hereafter arise, as well in bringing and maintaining Actions and Suits for recovering Debts and enforcing Obligations now due or hereafter to become due to the said Society or Partnership, and in prosecuting Persons who may steal or embezzle any Money, Goods, or Effects of or belonging to the said Society or Partnership, or who may commit or be guilty of any Felony or other Crime or Offence against or with Intent to injure or defraud the said Society or Partnership, by reason of its being required by Law that all the several Subscribers or Proprietors to and in such Society or Partnership should in all or many of the Cases aforesaid sue and prosecute by their several and distinct Names and Descriptions: Wherefore, for removing the Difficulties aforesaid, and others attendant thereupon, 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
[*Loc. & Per.*] D d assembled,

Company to
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Name of their
Treasurer.

assembled, and by the Authority of the same, That all Actions and Suits commenced or instituted, or to be commenced or instituted, by or on behalf of the said Society or Partnership called *The Sun Fire Office Company*, against any Person or Persons, Body or Bodies Politic or Corporate, or others, for recovering any Debts or enforcing any Claims or Demands now due or which may hereafter become due or arise to the said Society or Partnership, and all Proceedings in Law or Equity relating to the same, or other the Concerns of the said Society or Partnership, shall or lawfully may, from and after the passing of this Act, be commenced or instituted and prosecuted in the Name of the Treasurer for the Time being of the said Society or Partnership, as the nominal Plaintiff for and on behalf of the said Society or Partnership; and that all Actions or Suits and Proceedings in Law or in Equity to be commenced or instituted against the said Society or Partnership shall and lawfully may be commenced, instituted, and prosecuted against the Treasurer for the Time being of the said Society or Partnership as the nominal Defendant for and on the Behalf of the said Society or Partnership; and that all Indictments, Informations, and Prosecutions by or on behalf of the said Society or Partnership, for any stealing or Embezzlement of any Money, Goods, Effects, or Property of or belonging to the said Society or Partnership, or for any Fraud, Crime, or other Offence committed against or with Intent to injure or defraud the said Society or Partnership, shall and lawfully may be had or preferred and carried on in the Name of the Treasurer for the Time being of the said Society or Partnership; and that in all Indictments and Informations to be had or preferred by or on the Part or Behalf of the said Society or Partnership it shall be lawful and sufficient to state the Money, Goods, Effects, or Property of the said Society or Partnership to be the Money, Goods, Effects, or Property of the Treasurer for the Time being of the said Society or Partnership; and that any Crime or other Offence committed against or with Intent to injure or defraud the said Society or Partnership shall and lawfully may in such Indictment or Information be laid or stated to have been committed against or with Intent to injure or defraud the Treasurer for the Time being of the said Society or Partnership, and any Offender or Offenders may thereupon be lawfully convicted of any such Crime or Offence; and that the Death, Resignation, or Removal, or other Act of the Treasurer for the Time being of the said Society or Partnership, shall not abate or prejudice any such Action, Suit, Indictment, Information, Prosecution, or other Proceedings then depending against or by or on behalf of the said Society or Partnership.

Executions
upon Judg-
ments against
the Treasurer
may be issued
against any
of the Mem-
bers, who
are to be re-
imbursed
their Ex-
pences by
the Com-
pany.

II. Provided always, and be it enacted, That Execution upon any Judgment in any such Action obtained against the Treasurer for the Time being of the said Society or Partnership, whether as Plaintiff or Defendant, may be issued against any Member or Members for the Time being of the said Society or Partnership: Provided always, that every such Treasurer in whose Name any such Action or Suit shall be commenced, prosecuted, or defended, and every such Member or Members 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 Fund 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

III. And be it further enacted, That a Memorial of the Names of the several Persons being Members of the said Society or Partnership, in the Form expressed in the Schedule hereto annexed, shall be inrolled, upon Oath, in the High Court of Chancery within Twenty-eight Days after the passing of this Act; and when any Transfer of any Share or Shares of any Member of the said Society or Partnership shall be made, a Memorial thereof shall in like Manner, within Twenty-eight Days afterwards, be inrolled as aforesaid in the Form or to the Effect expressed in the said Schedule.

A Memorial of the Names of Members and Transfer of Shares to be inrolled in Chancery.

IV. Provided always, and be it further enacted, That until such Memorial as before mentioned shall have been inrolled in manner herein directed, no Action shall be brought by the said Society or Partnership under the Authority of this Act; and all the Members whose Names shall be expressed in the last Inrolment shall continue liable to all Actions, Suits, Judgments, and Executions until a Memorial or Memorials of Transfer shall have been inrolled as aforesaid.

Actions not to be brought until Memorial inrolled.

V. And be it further enacted, That this Act, and the Powers and Provisoes herein contained, shall extend and be at all Times construed to extend to the said Society or Partnership during the Continuance thereof, whether the same do or shall consist or be composed of all or some only of the Persons who originally were, or at the Time of passing this Act were, Members of the said Society or Partnership, or of all or some only of those Persons together with some other Persons, or of Persons all of whom became or shall become Members of the said Society or Partnership since the original Institution thereof, or since the passing of this Act.

Provisions of this Act to extend to the Company for the Time being.

VI. And be it further enacted, That all and every Judgment and Judgments which shall at any Time after the passing of this Act be had or recovered in any Action, Suit, or Proceedings in Law or Equity against the Treasurer of the said Society or Partnership, shall have the like Effect and Operation upon and against the Property of the said Society or Partnership as if such Judgment or Judgments had been recovered or obtained against the said Society or Partnership themselves; and further, that the Bankruptcy, Insolvency, or stopping Payment of the Treasurer for the Time being of the said Society or Partnership in his individual Character or Capacity shall not be or be construed to be the Bankruptcy, Insolvency, or stopping Payment of the said Society or Partnership; and also, that the said Society or Partnership, and the Capital Stock and Effects thereof, notwithstanding the Bankruptcy, Insolvency, or stopping Payment of any such Treasurer, shall be attached or attachable, and be in all respects liable to the lawful Claims and Demands of the Creditor and Creditors thereof in like Manner as if no such Bankruptcy, Insolvency, or stopping Payment of the said Treasurer of the said Society or Partnership had happened or taken place.

Judgments on Actions against Treasurer shall extend to the Property of Company.

VII. Provided always, and be it further enacted, That nothing in this Act 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, from any Contract, Duty, Obligation, or Responsibility whatsoever which by Law they now are or at any Time hereafter may be subject or liable

Act not to extend to incorporate the Company.

liable to, either as between such Society or Partnership and others, or among themselves, or in any Manner whatsoever.

Public Act.

VIII. 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 to which this Act refers.

No. 1. MEMORIAL of the Names of the Members of *The Sun Fire Office Company*, on the _____ Day of _____
 One thousand eight hundred and _____ inrolled pursuant to
 an Act of Parliament passed in the Fifty-fourth Year of the Reign of
 His Majesty King *George* the Third, intituled *An Act to enable The Sun
 Fire Office Company to sue and be sued in the Name of their Treasurer,
 under certain Regulations.*

No. 2. *A. B.*, Secretary of the above-named Company, maketh Oath,
 That the above written Memorial doth contain the Names of all the
 present Members of the said Company as the same appear in the Books
 of the said Company.

No. 3. 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
 Sun Fire Office Company* 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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