



ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

Cap. xcv.

An Act to enable “The Farmers and General Fire and Life Insurance and Loan and Annuity Company” to sue and be sued in the Name of the Manager, Chairman, or any One of the Directors or the Secretary of the said Company.
[3d July 1840.]

WHEREAS several Persons have formed themselves into a Company or Partnership in the County of *Middlesex* by the Name of “The Farmers and General Fire and Life Insurance and Loan and Annuity Company,” in order to carry on the Business of making or effecting Assurances on Lives and Survivorships and against Loss by Fire or Hailstorms, and all such other Assurances, on Events and Contingences, either connected with the Duration of Life or otherwise, as may be effected according to Law, and of granting Annuities immediate, deferred, and contingent on Survivorship or otherwise, and Endowments, and of purchasing and selling Reversionary, Life, and other Interests and Securities, and to make Loans and Advances to be assured out of or in proportion to the Premiums and Sums paid by them, and generally to carry on the Business usually called or known as Fire Insurance and Life Insurance, and all Matters connected therewith: And whereas Difficulties may hereafter arise in recovering the Debts and Monies due to the said Company called “The Farmers and General Fire and Life Insurance and Loan and Annuity Company,” and in maintaining

[*Local.*]

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Actions

Company
may sue and
be sued in
the Name of
the Manager,
Chairman, or
of any One of
the Directors
or the Secre-
tary for the
Time being.

Actions for Damages done to the said Company or to the Property of the said Company, since by Law all the Members for the Time being of the said Company must be named in every Action or Suit carried on for such Purpose: And whereas it would be convenient that Persons having Demands against the said Company should be entitled to sue the Manager, Chairman, or One of the Directors or Secretary for the Time being of the said Company: And whereas it would be convenient that Prosecutions for Embezzlement, Robbery, or stealing the Property of the said Company, or for Fraud, or any other Offence against the said Company, should be instituted and carried on in the Name of the said Company, or in the Name of the Manager, Chairman, or One of the Directors or the Secretary for the Time being of the said Company: Wherefore, for obviating and removing the Difficulties aforesaid, May it please Your Majesty that it may be enacted; and be it enacted by the Queen'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 from and after the passing of this Act all Actions and Suits whatsoever against any Person or Persons already indebted or who may be hereafter indebted to the said Company called "The Farmers and General Fire and Life Insurance and Loan and Annuity Company," and all Actions, Suits, and other Proceedings whatsoever at Law or in Equity for any Injury or Wrong done to any Real or Personal Property of the said Company, or upon or in respect of any present or future Liability or Liabilities to the said Company, or upon any Bonds, Covenants, Bills of Exchange, Promissory Notes, Contracts, or Agreements which already have been or hereafter shall be given or entered into to or with the said Company, or wherein the said Company is or shall be interested, and all Instruments, Petitions, and other Proceedings for or incidental to the issuing or prosecuting any Fiat in or Commission of Bankruptcy in *England* or *Ireland*, or any Sequestration in *Scotland*, against any Person or Persons already indebted or who may be hereafter indebted to the said Company, and liable to be made bankrupt by the Laws now or at any Time hereafter in force relative to Bankrupts and Traders in *England* and *Ireland*, or to Sequestrations in *Scotland*, and all Proceedings at Law or in Equity under any Commission of or Fiat in Bankruptcy, or under any Sequestration by, for, or on behalf of the said Company, or wherein the said Company is or shall be concerned or interested, and generally all other Proceedings whatsoever at Law or in Equity to be commenced, instituted, or carried on by or on behalf of the said Company, or wherein the said Company is or shall be concerned or interested, against any Person or Persons, Body or Bodies Politic or Corporate, or others, whether such Person or Persons, or any of such Persons, or such Body or Bodies Politic or Corporate, or any Member or Members thereof respectively, is or are or shall be or shall have been a Proprietor or Proprietors of the said Company or not, shall and lawfully may be commenced, instituted, presented, and prosecuted or carried on in the Name of the Person who shall be the Manager or Chairman of the said Company at the Time such Suit, Action, or Proceeding shall be commenced or instituted or such Petition presented, or in the Name of any One Director or the
Secretary

Secretary for the Time being of the said Company, as the nominal Plaintiff, Pursuer, Complainer, Appellant, or Petitioner, or as acting in any other Character for or on behalf of the said Company; and all Actions, Suits, and other Proceedings at Law or in Equity to be commenced, instituted, or prosecuted against the said Company by any Person or Persons, or Body or Bodies Politic or Corporate, whether such Person or Persons, or any of such Persons, or such Body or Bodies Politic or Corporate, or any Member or Members thereof respectively, is or are or shall be or shall have been a Proprietor or Proprietors of the said Company or not, shall and lawfully may be commenced, instituted, and prosecuted against the said Manager or Chairman for the Time being, or against any One Director or the Secretary for the Time being, or in the event of there being no Manager, Chairman, Director, or Secretary, in the Name of any Proprietor of the said Company, as the nominal Defendant, Respondent, or Defender in such last-mentioned Actions, Suits, or Proceedings for or on behalf of the said Company; and the Death, Resignation, or Removal, or any other Act of such Manager, Chairman, or Director or Secretary, shall not abate or prejudice any Action, Suit, Petition, or other Proceeding at Law or in Equity commenced or instituted under this Act, but the same may be continued, prosecuted, carried on, or defended in the Name of any One other Manager, Chairman, Director, or Secretary for the Time being of the said Company.

II. And be it further enacted, That from and after the passing of this Act it shall be lawful for the said Company, by the Manager, Chairman, or any Director or Secretary for the Time being of the said Company, to prefer any Indictment, Information or Informations, or other Criminal Proceeding or Proceedings, in any Court or Courts, against any Person or Persons, for any Offence already committed or which shall hereafter be committed against the said Company; and in all Indictments, Informations, and other Proceedings against any Person or Persons, whether such Person or Persons or any of such Persons be a Proprietor or Proprietors of the said Company or not, for feloniously taking, stealing, or embezzling, damaging or destroying, or for any Offence whatever relating to any Goods, Chattels, Notes, Bills, Bonds, Deeds, or any Securities, Monies, Effects, or any Real or Personal Property whatever of or belonging to the said Company, such Goods, Chattels, Notes, Bills, Bonds, Deeds, Securities, Monies, Effects, or Property respectively may be laid and stated to be the Goods, Chattels, Notes, Bills, Bonds, Deeds, Securities, Monies, Effects, or Property respectively of "The Farmers and General Fire and Life Insurance and Loan and Annuity Company;" and in all Indictments, Informations, and other Proceedings against any Person or Persons, whether such Person or Persons or any of such Persons be a Proprietor or Proprietors of the said Company or not, for any Conspiracy, Crime, Fraud, or Offence already committed or which shall hereafter be committed with Intent to injure or defraud the said Company, the same may be laid and stated to have been done with Intent to injure or defraud "The Farmers and General Fire and Life Insurance and Loan and Annuity Company;" and it shall not be necessary to state in any such Indictment, Information, or other

Indictments
may be
brought in
the Name of
the Com-
pany.

Proceeding

Proceeding the Name or Names of all or any of the Persons now or at any Time hereafter constituting the said Company; and any Offender or Offenders shall or may thereupon be lawfully convicted of such Conspiracy, Crime, Fraud, or Offence in as full, valid, and effectual a Manner, to all Intents and Purposes, as if the Names of all the Persons constituting the said Company, and the Name or Names of the Person or Persons in whom the Goods, Chattels, Notes, Bills, Bonds, Deeds, Securities, Monies, Effects, or Property relating to which such Indictment, Information, or other Proceeding shall be preferred, shall or may be vested in Trust for the said Company, were inserted or used in such Indictment, Information, or other Proceeding or Proceedings consequent or attendant thereon.

Persons suing the Company in Equity may include as Defendants any Proprietors of the Company.

III. Provided always, and be it further enacted, That in case, for the Purpose of Discovery or for any other Purpose, any Person or Persons having any Claim or Demand against the said Company, whether such Person or Persons or any of such Persons shall be or shall have been a Proprietor or Proprietors of the said Company or not, shall be desirous to include any other Proprietor or Proprietors of the said Company, or any Person or Persons who shall have been a Proprietor or Proprietors of the said Company, or the Executors, Administrators, or Assigns of any such Proprietor or Proprietors or past Proprietor or Proprietors, besides such Manager or Chairman, or Director or Secretary, as Defendant or Defendants in any Bill or other Proceeding in any Court of Equity, it shall be lawful for him, her, or them so to do, any thing in this Act contained to the contrary notwithstanding; and the Death or Withdrawal from the said Company, or other Act or Deed whatsoever, of any Person or Persons who shall be so included, shall not abate or prejudice such Suit, Bill, or other Proceeding.

One Action only to be brought upon One Cause against the Company.

IV. Provided also, and be it enacted, That no Person or Persons, or Body or Bodies Politic or Corporate, having or claiming or who shall or may have or claim any Demand or Cause of Action or Suit upon or against the said Company, whether such Person or Persons or any of such Persons shall be a Proprietor or Proprietors of the said Company or not, shall bring more than One Action or Suit or Actions or Suits in respect of such Demand or Cause of Action or Suit, or alleged Cause of Action or Suit; and in case the Merits in respect of any such Demand or Cause of Action or Suit, Actions or Suits, or alleged Cause of Action or Suit, Actions or Suits, shall have been adjudicated or determined in such Action or Suit, then and in such Case the Proceedings in such previous Action or Suit may be pleaded in bar of any such other or subsequent Action or Suit, or Actions or Suits, against the Manager, Chairman, or Secretary, or against any other Director or Proprietor of the said Company, for the same Demand; and in case the Merits in respect of any Demand or Cause of Action or Suit which the said Company, or any Person or Persons in Trust for them or for their Benefit, now has or have or hereafter may have upon any Person or Persons, or Body or Bodies Politic or Corporate, whether such Person or Persons, or any of such Persons, shall be or shall have been a Proprietor or Proprietors of the said Company or not, shall have been determined in any

other Action or Suit previously commenced or prosecuted by the Manager, Chairman, or Secretary, or any Director or Proprietor of the said Company, then and in such Case the Proceedings in such previous Action or Suit may in like Manner be pleaded in bar of any such subsequent or other Action or Suit, or Actions or Suits, which may be commenced or prosecuted for the same Demand by the same or any other Manager, Chairman, or Secretary, or Director or Proprietor of the said Company.

V. Provided always, and be it further enacted, That the Secretary of the said Company, being the Plaintiff, Pursuer, Complainer, Petitioner, Appellant, or Prosecutor, or being the Defendant, Respondent, or Defender, in any Action, Suit, Petition, Proceeding, Prosecution, or Indictment commenced, instituted, prosecuted, or preferred under the Authority of this Act, shall not by reason thereof be deemed incompetent to be a Witness in any such Action, Suit, Petition, Proceeding, Prosecution, or Indictment, but such Secretary shall and may (if not otherwise interested or objectionable) be a good and competent Witness, or good and competent Witnesses, and be admissible and admitted as such in all Courts, and by and before all Judges, Justices, and others, in any such Action, Suit, Petition, Proceeding, Prosecution, or Indictment, in the same Manner as he might have been if his Name had not been made use of as the Plaintiff, Pursuer, Complainant, Petitioner, Appellant, Prosecutor, Defendant, or Defender in such Action, Suit, Petition, Prosecution, Proceeding, or Indictment, or as if he had not been a Secretary of the said Company.

The Secretary being the Plaintiff or Defendant not incompetent to be a Witness.

VI. And be it further enacted, That all and every Judgments or Judgment, Decrees or Decree which shall at any Time after the passing of this Act, be obtained or recovered in any Action, Suit, or other Proceeding at Law or in Equity against any Manager or Chairman or any One of the Directors for the Time being or Secretary of the said Company, or any Proprietor of the said Company for the Time being, as the nominal Defendant therein, shall have the like Effect and Operation upon and against the Funds or Property of the said Company as if such Judgments or Judgment, Decrees or Decree, had been recovered or obtained against the said Company in any Action, Suit, or Proceeding at Law or in Equity brought or commenced against the said Company by or in the several and distinct Names and Descriptions of the several Proprietors of the said Company, and as if this Act had not been passed; and further, that the Bankruptcy, Insolvency, or stopping Payment of such Manager, Chairman, or any such Director for the Time being, or of any such Secretary of the said Company, or of any individual Proprietor of the said Company, in his or her individual Character or Capacity, shall not be or be construed to be the Bankruptcy, Insolvency, or stopping Payment of the said Company; and the said Company, and the Funds and Property thereof, shall, notwithstanding the Bankruptcy, Insolvency, or stopping Payment of any such Manager, Chairman, or any such Director for the Time being or Secretary of the said Company, or any such Proprietor of the said Company, be attached or attachable, and be in all respects liable to the lawful

Judgments in Action against the Manager or Chairman, or One of the Directors or the Secretary, shall extend to the Property of the Company.

Claims and Demands of the Creditor or Creditors of the said Company, in like Manner as if no such Bankruptcy, Insolvency, or stopping Payment had happened or taken place.

Execution upon any Judgment may be issued against any Member or late Member of the Company, &c.

VII. Provided always, and be it further enacted, That in case Execution or Diligence upon any Judgment or Decree in any Action, Suit, or other Proceeding under this Act, obtained against the Manager, Chairman, or any One Director for the Time being or Secretary of the said Company, whether as Plaintiff, Pursuer, or Complainant, or as Defendant, Respondent, or Defender, shall have been issued or taken out against the Estates, Funds, Property, or Assets of the said Company, under the Provisions of this Act, and in case the same shall have been, without any Error, Default, or Neglect of the Party suing out such Execution or Diligence, ineffectual for obtaining Payment of and Satisfaction for the Sum or Sums sought to be recovered, then and in such Case Execution or Diligence upon any such Judgment or Decree may from Time to Time be issued against all or any One or more Proprietor or Proprietors of the said Company for the Time being; and in case such Execution or Diligence against any such Proprietor or Proprietors of the said Company shall be ineffectual for obtaining Payment of and Satisfaction for the Sum or Sums sought to be recovered thereby, it shall be lawful for the Party or Parties so having obtained Judgment or Decree against the Manager, Chairman, or any One Director for the Time being or Secretary of the said Company, to issue Execution or Diligence against any other Person or Persons who was or were a Proprietor or Proprietors of the said Company at the Time the Contract or Contracts was or were entered into upon which such Action, Suit, or other Proceeding may have been brought or instituted, but no such Execution or Diligence shall be issued without Leave first granted by the Court in which such Action, Suit, or other Proceeding may have been brought or instituted, which Leave shall be applied for upon Motion to be made in open Court upon Affidavit, after Notice in Writing given to the Person or Persons sought to be charged: Provided also, that nothing herein contained shall render such past Proprietors liable for Payment of any Debt for which such Action, Suit, or other Proceeding may have been brought to which they would not have been liable by Operation of Law as Partners in case any Action, Suit, or other Proceeding had been originally brought against them for the same: Provided also, that nothing in this Act contained shall be deemed or taken to enable any Plaintiff, Pursuer, or Complainant, Petitioner, Prosecutor, Defendant, Respondent, or Defender, in any Action, Suit, Petition, or other Proceeding under this Act, to recover from any Proprietor of the said Company or any other Persons whomsoever any greater Sum or Sums of Money than such Proprietor or Person would or might have been liable to pay, either by Law or in Equity, under any Contract for the Time being subsisting, if this Act had not been passed: Provided also, that every Manager, Chairman, or Director or Secretary, in whose Name any Action, Suit, or Proceeding under this Act shall be commenced, prosecuted, or defended, and every Proprietor and other Person who may be included as a Defendant in any Bill or other Proceeding in any Court of Equity, as hereinbefore

No greater Sum to be recovered in Actions than could have been recovered if Act had not passed.

Manager or Chairman, or Director or Secretary, against whom Judgment

before provided, and every other Proprietor and every Person who shall have been a Proprietor of any Share or Shares in the said Company, against whom any Execution or Diligence upon any Judgment or Decree obtained in any such Action, Suit, or Proceeding shall be issued as aforesaid, shall always be reimbursed and repaid out of the Funds or Property of the said Company all such Costs, Charges, Losses, and Damages as by the Event of such Action, Suit, or Proceeding, or otherwise in relation thereto, he or they shall be put unto or become chargeable with; and if the Funds or Property for the Time being of the said Company shall be insufficient to pay such Costs, Charges, Losses, and Damages in full, then the Deficiency shall be made good by the Proprietors for the Time being of the said Company.

ment may
be obtained,
to be indem-
nified.

VIII. And whereas it is expedient that every Proprietor of the said Company against whom any Execution or Diligence shall be issued upon any Judgment or Decree under the Authority of this Act shall have an easy and expeditious Mode of recovering all such Costs, Charges, Losses, and Expences as he or she shall be put unto or become chargeable with in consequence thereof; be it therefore enacted, That if any Execution or Diligence upon any Judgment or Decree obtained in any Action, Suit, or Proceeding under this Act shall be issued against any Proprietor of the said Company, or against any Person who shall have been a Proprietor of the said Company, and such Proprietor or past Proprietor against whom such Execution or Diligence shall be issued shall not, within the Space of Fourteen Days next after the issuing thereof, be reimbursed out or by means of the Estates, Funds, or Property of the said Company all such Monies, Costs, Charges, Losses, and Expences as he or she shall have paid or been put unto or become chargeable with in consequence of such Execution or Diligence having been issued against him or her, it shall and may be lawful for any such Proprietor or past Proprietor, or the Executors or Administrators of such Proprietor or past Proprietor, to have and sue out One or more new or further Execution or Diligence, Executions or Diligences, against the Estates, Funds, Property, and Assets, or any or either of them, of the said Company, upon the Judgment or Decree on which Execution or Diligence may have been executed against such Proprietor or past Proprietor, and thereby levy, raise, and pay what such Proprietor or past Proprietor may have been compelled to pay by means of such original or first Execution or Diligence, together with Interest thereon, and his Costs, Charges, Losses, and Expences in that Behalf sustained, the Amount thereof to be ascertained and certified by one of the Masters or other Officer of the Court out of which such Execution or Diligence shall issue; and in case such Proprietor or past Proprietor shall not by the Means aforesaid be fully paid all such Monies, Costs, Charges, Losses, and Expences, that it shall be lawful for such Proprietor or past Proprietor, his Executors or Administrators, to divide such Monies, Interest, Costs, Charges, Losses, or Expences, or so much thereof as he, she, or they shall not within the Time aforesaid have been so reimbursed as aforesaid, into as many equal Parts or Shares as the Capital of the said Company shall at that Time be considered as divided into, not including Shares then under

Remedy for
Proprietors
if Execution
is issued
against them.

under Forfeiture ; and each and every Proprietor for the Time being of any Share or Shares of the said Company, and the Executors or Administrators of every such deceased Proprietor, shall, in proportion to the Number of Shares which he, she, or they may hold or be entitled to in the said Company, pay One or more of such Parts or Shares, upon Demand, to the Proprietor or past Proprietor against whom such Execution shall have been issued, or to his or her Executors or Administrators ; and upon the Neglect or Refusal of any Proprietor for the Time being of the said Company, or of the Executors or Administrators of any deceased Proprietor, to pay, upon Demand, his or her due and fair Proportion, such Proportion having been ascertained and fixed as last aforesaid, of such Monies, Costs, and Charges, then and in every such Case it shall be lawful for the Proprietor or past Proprietor, or other Person to whom the same ought to have been paid, his Executors or Administrators, to sue for and recover the same in or by Action, Suit, or Plaint against the Proprietor, or the Executors or Administrators of any Proprietor, who shall so neglect or refuse as aforesaid, in any of Her Majesty's Courts of Record at *Westminster*.

Further Remedy in favour of Proprietors against whom Execution shall issue in case of Bankruptcy, &c. of Co-proprietors.

IX. Provided always, and be it further enacted, That if the Proprietor or past Proprietor against whom such Execution or Diligence shall have issued as herein-before mentioned, his Executors or Administrators, shall by reason of the Bankruptcy or Insolvency of any Proprietor or Proprietors, or of the Estate of any deceased Proprietor or Proprietors of the said Company, or from any other Cause, but without any Neglect or wilful Default on the Part of such Proprietor or past Proprietor against whom such Execution or Diligence shall have issued, his Executors or Administrators, be prevented from receiving, obtaining, or recovering any Share or Proportion, Shares or Proportions, of the Monies, Costs, Charges, or Expences which he shall have so paid or been put to or become chargeable with, and which shall not have been reimbursed as herein-before mentioned, that then and in every such Case it shall be lawful for such Person against whom such Execution or Diligence shall have issued, his Executors or Administrators, again to divide the Amount of all such Monies, Costs, Charges, and Expences as shall not have been received, obtained, or recovered by him or them into as many equal Parts or Shares as there shall be Shares into which the Capital of the said Company shall at that Time be considered as divided, not including Shares then under Forfeiture, except the Shares in the said Capital in respect of which such Default in Payment or Recovery shall have happened ; and each and every Proprietor for the Time being of the said Company, and the Executors or Administrators of every deceased Proprietor, except the Proprietors of Shares, and Executors and Administrators of Proprietors, in respect of which there has been such Default in Payment or Recovery as aforesaid, shall rateably, according to the Number of Shares which he or she or they shall hold or be entitled to in the said Company, upon Demand, pay One or more such last-mentioned Parts or Shares of the Amount of the said Money, Costs, Charges, and Expences so ascertained as before mentioned, to the Proprietor or past Proprietor against whom such Execution or Diligence shall have issued, his Executors or Administrators ;

trators ; and in default of Payment such Proprietor or past Proprietor, his Executors or Administrators, shall have and be entitled to the same Remedies in all respects for the Recovery thereof as under the Provisions herein-before contained such Proprietor or past Proprietor, his Executors or Administrators, or will have or be entitled to in respect of the original Proportions of such Monies, Costs, Charges, and Expences ; and in the event of any Share or Proportion, Shares or Proportions, of the said Monies, Costs, Charges, and Expences, remaining unpaid, unsatisfied, and not reimbursed to such Proprietor or past Proprietor against whom such Execution or Diligence shall have issued, his Executors or Administrators, by reason of any such Bankruptcy, Insolvency, or other Cause as aforesaid, such Proprietor or past Proprietor, his Executors or Administrators, shall in like Manner from Time to Time, and by way of accumulative Remedy, have and continue to have and be entitled to (*mutatis mutandis*) the same Rights, Powers, and Privileges of again dividing, recovering, and enforcing Payment of the Amount of such Share or Proportion, Shares or Proportions, so unpaid, unsatisfied, and not reimbursed as aforesaid, until such Proprietor or past Proprietor against whom such Execution or Diligence shall have issued, his Executors or Administrators, shall in the End, if a past Proprietor, have received and been fully reimbursed the whole of the said Monies, Costs, Charges, and Expences, and if a then Proprietor the whole, excepting the Portions so ascertained as before mentioned, appertaining to the Shares held by him.

X. Provided also, and be it further enacted, That in case any Action, Suit, or other Proceeding, either at Law or in Equity, shall be commenced, instituted, or prosecuted against any Proprietor or past Proprietor of the said Company, in respect of any Debt or Demand owing by or from or on account of or arising against the said Company, and such Action, Suit, or other Proceeding shall be commenced, instituted, prosecuted, or carried on against such Proprietor or past Proprietor in any other Manner than under the Powers and Authorities for suing and being sued herein-before given, and in case such Proprietor or past Proprietor shall, under and by virtue of any Judgment or Decree obtained or made, or to be obtained or made, in such Action or Suit or other Proceeding, or under any Execution or Diligence to be issued in respect thereof, or otherwise, be compelled or called upon to pay and shall actually pay any Sum or Sums of Money, Damages, Costs, Charges, or Expences, then and in every such Case such Proprietor or past Proprietor shall, in respect of such last-mentioned Sum or Sums of Money, Damages, Costs, Charges, and Expences, have and be entitled to and shall and may exercise all such and the same Indemnities, Rights, Powers, and Remedies in all respects for reimbursing himself, or for enforcing Contribution, according as the Case may be, in respect of all such Monies, Damages, Costs, Charges, or Expences so paid by him as aforesaid, as are herein-before given in Cases where Execution or Diligence shall have issued upon any Judgment or Decree obtained in any Action, Suit, or other Proceeding instituted, carried on, or prosecuted under and by virtue of the Powers of suing and being sued, or under or by virtue of any other Powers given under this Act.

Remedy for Proprietors who may be sued otherwise than under the Powers given by this Act.

A Memorial of the Names of the Manager, Chairman, Directors, Secretary, and Proprietors to be enrolled in Chancery from Time to Time.

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XI. And be it further enacted, That a Memorial of the Names, Residences, and Descriptions of the Manager, Chairman, and of the several Directors and Secretary for the Time being of the said Company, and of the Names, Residences, and Descriptions of the several Proprietors of the said Company, in the Form or to the Effect expressed in the Schedule to this Act (or as near thereto as the Circumstances of the Case will admit), shall be verified by a Declaration in Writing in the Form (or as near thereto as the Circumstances of the Case will admit) prescribed in the Schedule to an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits;'* and to make other Provisions for the Abolition of unnecessary Oaths; which Declaration shall be made by the Manager, Chairman, or One of the Directors, or the Secretary for the Time being of the said Company, before a Master or Master Extraordinary in Chancery; and such Memorial, when so verified, shall be enrolled in the High Court of Chancery within Twelve Calendar Months next after the passing of this Act; and when any new Manager, Chairman, Director, or Secretary shall be appointed, a Memorial or Memorials of the Name, Residence, and Description, or Names, Residences, and Descriptions, of the new Manager, Chairman, or new Director or Directors or new Secretary, specifying in whose Place or Places he or they shall have been appointed, shall in like Manner be verified by the Manager, Chairman, or One of the Directors or the Secretary for the Time being of the said Company, and enrolled within Six Calendar Months after such Appointment or Appointments in the Form or to the Effect expressed in the said Schedule for that Purpose; and when any Person or Persons shall cease or discontinue to be a Proprietor or Proprietors of the said Company, a Memorial of his, her, or their Name, Residence, and Description, or Names, Residences, and Descriptions, shall in like Manner be verified by the Manager, Chairman, or One of the Directors or by the Secretary for the Time being of the said Company, and enrolled within Six Calendar Months after such Person or Persons shall have so ceased or discontinued to be such Proprietor or Proprietors; and when any new Proprietor or Proprietors shall be admitted into the said Company, a Memorial of his, her, or their Name, Residence, and Description, or Names, Residences, and Descriptions, shall in like Manner be verified by the Manager, Chairman, or by One of the Directors, or by the Secretary for the Time being of the said Company, and enrolled within Six Calendar Months after any such new Proprietor or Proprietors shall have been so admitted into the said Company; and when and so often as it shall be necessary and proper to memorialize the Name, Residence, and Description, or Names, Residences, and Descriptions, of any Person or Persons who shall have been appointed a new Manager, Chairman, or a new Director or Directors or Secretary of the said Company, and also of any Person or Persons who shall have ceased or discontinued to be a Proprietor or Proprietors of the said Company, also of any

Person or Persons who shall have been admitted a new Proprietor or Proprietors into the said Company, or to memorialize the Names of any Two or more of the above Classes of Persons, the Names, Residences, and Descriptions of such Persons respectively may be contained in One and the same Memorial, to the Form and Effect expressed in the said Schedule, and be verified and enrolled as hereinbefore directed: Provided always, that if any Declaration so made shall be false or untrue in any material Particular the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

XII. Provided always, and be it further enacted, That until the first Memorial shall have been duly enrolled in manner by this Act directed no Action, Suit, Petition, or other Proceeding shall be commenced, made, instituted, or prosecuted under the Authority of this Act; and until the Memorial by this Act required to be enrolled in the event of any Person or Persons ceasing or discontinuing to be a Manager, Chairman, or a Director or Directors or Secretary, or a Proprietor or Proprietors of the said Company, shall have been enrolled as hereinbefore mentioned, the Persons whose Names shall appear in the last Memorial which shall have been made as hereinbefore required shall be and continue liable to all such Actions, Suits, Executions, and Diligences, and other Proceedings under this Act, and shall be entitled to be reimbursed out of the Funds, Estates, Property, or Assets of the said Company all Costs, Charges, Losses, Damages, and Expences incurred or sustained thereby, in the same Manner as if he, she, or they had not ceased or discontinued to be a Manager, Chairman, or Director or Secretary, or a Proprietor or Proprietors of the said Company.

Actions not to be brought until Memorial shall be enrolled.

XIII. And be it further enacted, That an examined Copy of the Enrolment of every Memorial to be enrolled pursuant to this Act shall be received in Evidence as Proof of the Contents of such Memorial, and Proof shall not be required that the Person by whom the Memorial purports to be verified was at the Time of such Verification the Manager, Chairman, or One of the Directors or Secretary of the said Company.

An examined Copy of the Enrolment may be received as Evidence.

XIV. And be it enacted, That in case any Fiat or Commission of Bankruptcy shall be awarded against any Person who shall be indebted to the said Company, or against whom the said Company shall have any Claim or Demand, or in case any Person who shall be indebted to the said Company, or against whom the said Company shall have any Claim or Demand, shall petition to take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for any One of the Directors for the Time being, or for the Secretary or any Proprietor of the Company, to appear to act on behalf of the said Company in respect of any such Debt, Claim, or Demand, before the Commissioner under any such Fiat or Commission of Bankruptcy, or before the Court for Relief of Insolvent Debtors or any Commissioners thereof, either personally or by his Affidavit, to be sworn and exhibited in the usual Manner, in order to prove and establish any such Debt, Claim, or Demand under any such Fiat, Commission,

Mode of Proof, &c. by Company in Cases of Bankruptcy or Insolvency.

Commission, or Insolvency, and any such Director or such Secretary or Proprietor shall in all such Cases be admitted and allowed to make Proof or tender a Claim under any such Fiat, Commission, or Insolvency on behalf of the said Company in respect of any Debt, Claim, or Demand, and shall have such and the same Powers and Privileges as to voting in the Choice of Assignees, and as to signing Certificates in Cases of Bankruptcy, and otherwise in respect of any Debts admitted to be proved on behalf of the said Company, as any other Person being a Creditor of such Bankrupt or Insolvent in his own Right would have in respect of the Debt proved by him under such Fiat, Commission, or Insolvency.

Power for
Directors to
execute
Powers of
Attorney to
recover Fo-
reign Debts.

XV. And be it further enacted, That it shall be lawful for any Two or more of the Directors of the said Company from Time to Time to sign or seal or in any Manner execute Powers of Attorney or other Instruments, thereby empowering any Person or Persons whomsoever to apply for, recover, and receive, and to commence, institute, and carry on Actions, Suits, and Proceedings in or before any Court or Courts, Tribunal or Tribunals, in any Foreign Country or Countries, for the Purpose of recovering or compelling Payment or Delivery of any Sum or Sums of Money, Property, or Effects now or hereafter to be belonging, due, or owing to the said Company, or to any Person or Persons on behalf thereof, from or by any Bodies Politic or Corporate or other Person or Persons whomsoever, and to act in all or any Matters in relation to the said Company, or the Concerns or Effects thereof, or any of them, with all or any of such Powers and Authorities, either general or special, as may be necessary and expedient, which said Powers of Attorney and Instruments, and all Matters and Things done by virtue thereof, shall be binding on the said Company and the several Members and Proprietors thereof, to all Intents and Purposes whatsoever.

Secretary or
any Director
of the Com-
pany may
grant Re-
leases to
Witnesses.

XVI. And be it enacted, That in all Actions and Suits at Law or in Equity, and all Proceedings under this Act or otherwise, against or by or for or on behalf of the said Company, and also in all Prosecutions commenced and instituted by or on behalf of the said Company, and in all Arbitrations, References, and other Proceedings in or consequent upon or arising out of any such Actions and Suits or Proceedings, it shall be lawful for the Secretary for the Time being of the said Company, or any Director thereof, in his own Name, for or on behalf of the said Company, to make, sign, seal, execute, and deliver such general or other Release or Releases as may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person or Persons who shall or may be produced as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings as aforesaid, from any Claims or Demands which may be necessary to be released by the said Company to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings as aforesaid, and also to do any other Act, Matter, or Thing in any such Actions, Suits, Prosecutions, Arbitrations, References, or other Proceedings which any Plaintiff or Defendant may do in any Action, Suit, or Prosecution,

cution, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing respectively shall be valid and effectual in all respects and to all Intents and Purposes whatsoever, and be binding upon all the Proprietors of the said Company.

XVII. And be it enacted, That in all Cases wherein it may be necessary for any Person to serve any Summons, Demand, or Notice, or any Writ or other Proceeding, at Law or in Equity, or otherwise, upon the said Company, Service thereof respectively on the Secretary or any Director for the Time being of the said Company, either personally or by leaving the same at the principal Office of the said Company in *London*, shall be deemed good and sufficient Service of the same respectively on the said Company.

Service of
Notice on
the Com-
pany.

XVIII. And be it enacted, That in all Cases wherein it may be necessary for the said Company to give any Summons, Demand, or Notice of any Kind whatsoever to any Person or Corporation, such Summons, Demand, or Notice may be given in Writing, signed by the Secretary, Attorney, Solicitor, or any Director for the Time being of the Company.

Service of
Notice by
the Com-
pany.

XIX. And be it further enacted, That it shall and may be lawful to and for the Directors of the said Company for the Time being to enrol in the High Court of Chancery a Memorial of every Deed, Bond, Instrument, or other Assurance whereby any Annuity or Endowment shall from and after the passing of this Act be granted or secured to the said Company for or on One or more Life or Lives, or for any Term of Years, or greater Estate determinable on One or more Life or Lives, in the Names of the said Directors for the Time being, and such Enrolment shall be as good and effectual to all Intents and Purposes as if the Names of all the Members of the said Company were or was stated therein, any Law, Statute, or Custom to the contrary notwithstanding.

Company
may enrol
Memorial of
Annuities in
the Names of
the Parties
thereto.

XX. And be it further enacted, That this Act and the Provisions herein contained shall extend and be construed to extend to the said Company called "The Farmers and General Fire and Life Insurance and Loan and Annuity Company" at all Times during the Continuance thereof, whether the said Company hath been or be now or shall hereafter be composed of all or some of the Persons who were the original Proprietors thereof, or of all or some of those Persons together with some other Person or Persons, or whether the said Company be at the Time of the passing of this Act composed altogether of Persons who were not original Proprietors thereof, or whether the said Company shall hereafter be composed of Persons who were not original Proprietors thereof, or of Persons all of whom shall have become Proprietors subsequently to the passing of this Act.

Act to ap-
ply to the
present and
future Mem-
bers of the
Company.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed, construed, or taken to extend, to incorporate the said Company, or to relieve or discharge the said Company, or any of the Proprietors or other Holders of

Company not
incorporated
by this Act.

[*Local.*]

24 Y

Shares

Shares in the said Company, from any Responsibility, Duty, Contract, or Obligation whatsoever to which by Law they, he, or she now are or is or at any Time hereafter may be subject or liable, either between such Company and other Parties, or as between the said Company and any of the individual Proprietors or other Holders of Shares in the said Company and others, or as between or amongst themselves, or in any other Manner whatsoever.

Expences of
Act how to
be paid.

XXII. And be it further enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act shall be paid and discharged out of the Funds of the said Company in preference to all other Payments whatsoever.

Public Act.

XXIII. 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.

The SCHEDULE referred to by the foregoing Act.

MEMORIAL, made the _____ Day of _____ One thousand eight hundred and _____ of the Names of the Manager, Directors, Secretary, and Proprietors of "The Farmers and General Fire and Life Insurance and Loan and Annuity Company," enrolled pursuant to an Act passed [*here insert the Date and Title of this Act*].

A.B.	-	-	-	-	Manager.
C.D.	-	-	-	-	Chairman.
E.F.	}	-	-	-	Directors.
G.H.					
I.J.					
K.L.	-	-	-	-	Secretary.
M.N.	}	-	-	-	Proprietors.
O.P.					
Q.R.					

I A.B. of _____ in the County of _____ Manager, Chairman, or one of the Directors or Secretary of the said Company, do hereby solemnly and sincerely declare, That the above-written Memorial doth contain the Names of the present Manager, Chairman, Directors, Secretary, and of all the present Proprietors of the said Company as the same appear in the Books of the said Company; and I make this solemn Declaration conscientiously believing the same to be true, and in pursuance of the Provisions of the Statute in that Case made and provided.

(Signed) A.B.

Solemnly declared before me Q.R., Master
[or Master Extraordinary] in Chancery.

In case of a Change of the Manager, Chairman, or any of the Directors, or of the Secretary.

MEMORIAL, made the _____ Day of _____ One thousand eight hundred and _____ of the Name of the new Manager or Chairman, or of the new Directors, or of the Secretary of "The Farmers and General Fire and Life Insurance and Loan and Annuity Company," and of the Person or Persons in whose Place or Places he has or they have been appointed, enrolled pursuant to an Act passed [*here insert the Date and Title of this Act*].

A.B.	Manager in the Place of B.A.	
C.D. of	Chairman in the Place of D.C.	
G.H. of	} Directors in the Place of {	
I.J. of		H.G.
K.L. of		J.I.
M.N. of	L.K.	
	Secretary in the Place of K.L.	

I *A.B.* of _____ in the County of _____ Manager
 [*or* Chairman, *or* one of the Directors, *or* Secretary] of the said
 Company, do hereby solemnly and sincerely declare, That the above-
 written Memorial doth contain the Names of the new Manager [*or*
 Chairman, *or* of the Directors, *or* of the Secretary] of the said
 Company, and of the Persons in whose Place [*or* Places] he has
 been *or* they have been appointed, as the same appear in the Books
 of the said Company; and I make this solemn Declaration con-
 scientiously believing the same to be true, and in pursuance of the
 Provisions of the Statute in that Case made and provided.

(Signed) *A. B.*

Solemnly declared, &c.

N.B. The last Memorial as to a new Manager [Chairman, *or* new
 Directors, *or* new Secretary] was enrolled on the _____ Day
 of _____

In case of Persons ceasing to be Proprietors.

A MEMORIAL, made the _____ Day of _____ One thousand
 eight hundred and _____ of the Names of the Persons who
 have ceased or discontinued to hold any Share or Shares in "The
 Farmers and General Fire and Life Insurance and Loan and
 Annuity Company" since the _____ Day of _____ being
 the Date of the Memorial last registered respecting Persons ceasing
 to be Proprietors of the said Company, enrolled pursuant to an
 Act passed [*here insert the Date and Title of this Act*].

K.L. of
M.N. of
O.P. of

I *A.B.* _____ in the County of _____ Manager
 [*or* Chairman, *or* one of the Directors, *or* Secretary] of the said
 Company, do hereby solemnly and sincerely declare, That the above-
 written Memorial doth contain the Names of the Persons who have
 ceased or discontinued to hold any Share or Shares in the above-
 named Company since the _____ Day of _____ One
 thousand eight hundred and _____ as the same appear in the
 Books of the said Company; and I make this solemn Declaration
 conscientiously believing the same to be true, and in pursuance of
 the Provisions of the Statute in that Case made and provided.

(Signed) *A. B.*

Solemnly declared, &c.

N.B. The last Memorial as to the ceasing of Proprietors was
 enrolled on the _____ Day of _____

In case of Persons becoming new Proprietors.

A MEMORIAL, made the _____ Day of _____ One thousand
 eight hundred and _____ of the Names of Persons who have
 become new Proprietors of "The Farmers and General Fire and
 Life _____

Life Insurance and Loan and Annuity Company" since the
 Day of _____ One thousand eight hundred and _____ being
 the Date of the Memorial last registered respecting new Pro-
 prietors of the said Company, enrolled pursuant to an Act passed
 [*here insert the Date and Title of this Act*].

K.L. of
 M.N. of
 O.P. of

I A.B. of _____ in the County of _____ Manager
 [*or Chairman, or one of the Directors, or Secretary*] of the said
 Company, do hereby solemnly and sincerely declare, That the above-
 written Memorial doth contain the Names of the Persons who have
 become new Proprietors of the said Company since the _____ Day
 of _____ One thousand eight hundred and _____ as the
 same appear in the Books of the said Company; and I make this
 solemn Declaration conscientiously believing the same to be true,
 and in pursuance of the Provisions of the Statute in that Case made
 and provided.

(Signed) A.B.

Solemnly declared, &c.

The last Memorial as to new Proprietors was enrolled on the
 Day of _____

In the Case of several Changes at the same Time.

A MEMORIAL, made the _____ Day of _____ One thousand
 eight hundred and _____ of the Names of the new Manager,
 Chairman, and of the new Directors and Secretary of "The
 Farmers and General Fire and Life Insurance and Loan and
 Annuity Company," and of the Persons in whose Place or Places
 they have been appointed, and of the Names of the Persons who
 have ceased or discontinued to be the Proprietors of the said
 Company, and of the new Proprietors of the said Company,
 enrolled pursuant to an Act passed in [*here insert the Date and
 Title of this Act*].

Names of the new Manager, Chairman, and of the new
 Directors and Secretary, and of the Persons in whose Place
 or Places they have been appointed.

A.B. of	Manager in the Place of B.A.
C.D. of	Chairman in the Place of D.C.
G.H. of	} Directors in the Place of { H.G.
I.J. of	
K.L. of	Secretary in the Place of L.K.

Names of the Persons who have ceased to be Proprietors.

I.J. of
 K.L. of

Names of new Proprietors.

M.N. of
 O.P.

I *A. B.* of _____ in the County of _____ Manager [*or*
 Chairman, *or* one of the Directors, *or* Secretary] of the said Company,
 do hereby solemnly and sincerely declare, That the above-written
 Memorial doth contain the Names of the new Manager, Chairman,
 and of the new Directors and Secretary of the said Company, and
 of the Persons in whose Places they have been appointed, and of
 the Persons who have ceased or discontinued to be Proprietors of
 the said Company, and of the new Proprietors of the said Company,
 as the same respectively appear in the Books of the said Company;
 and I make this solemn Declaration conscientiously believing the
 same to be true, and in pursuance of the Provisions of the Statute
 in that Case made and provided.

(Signed) *A. B.*

Solemnly declared, &c.

N.B. The last Memorial as to a new Manager, Chairman, and new
 Directors and Secretary was enrolled on the _____ Day
 of _____

The last Memorial as to the ceasing and discontinuing of Pro-
 prietors was enrolled on the _____ Day of _____

The last Memorial as to new Proprietors was enrolled on the
 _____ Day of _____

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