ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 11.

An Act to enable the Company of the *County Fire Office* to sue and be sued in the Name of their Managing Director, or any other Director.

[20th *December* 1813.]

WHEREAS several Persons have formed themselves into an Association or Company under the Name of *The Association of the County Fire Office*, and have subscribed or raised considerable Sums of Money, in order to effect Insurances against Loss or Damage by Fire; and to grant and purchase Annuities: And whereas the Public hath been greatly benefited by the Formation of such Institution with a competent Capital, 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 Association or Company, called *The County Fire Office*, and also in prosecuting Persons who may steal or embezzle the Property of the said Association or Company, or who may commit or be guilty of any other Offence against the said Association or 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 from and after the passing of this Act all Actions and Suits to be commenced, instituted, or carried on by or on Behalf of the said Company, against any Person or Persons,

Actions may be carried on in the Name of the Managing Director or any other Director.

[*Loc. & Per.*]

Persons, Body or Bodies Politic or Corporate, shall and lawfully may be commenced, instituted, and prosecuted, or carried on in the Name of the Person who shall be Managing Director of the said Company at the Time such Action, Suit, or Proceeding, shall be instituted, or in the Name of any One of the other Directors for the Time being of the said Company, as the nominal Plaintiff, for and on Behalf of the said Company, and that all Actions and Suits to be commenced or instituted against the said Company shall be commenced, instituted, and prosecuted, against the said Managing Director or other Director of the said Company, as the nominal Defendant, for and on Behalf of the said Company; and that all Prosecutions to be brought, instituted, or carried on 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 of such Managing Director or other Director for the Time being of the said Company; and in all Indictments and Informations it shall be lawful to state the Property of the said Company to be the Property of such Managing Director or other Director for the Time being of the said Company; and any Offence committed with Intent to injure or defraud the Company shall and lawfully may, in such Prosecution, be laid to have been committed with Intent to injure or defraud such Managing Director or other Director for the Time being of the said Company; and any Offender or Offenders may thereupon be lawfully convicted of any such Offence; and in all other Allegations or Indictments, Informations or other Proceedings, in which before the passing of this Act it would have been necessary to state the Names of the Persons composing the said Company, it shall and may be lawful and sufficient from and after the passing of this Act to state the Name of such Managing Director or other Director, and the Death, Resignation, or Removal, or other Act of such Managing Director or other Director, shall not abate any such Action, Suit, or Prosecution.

Name to be enrolled in Court of Chancery.

II. And be it further enacted, That a Memorial of the Name or Names, and Description of the Managing Director and of every other Director of the said Company 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 Managing Director or other Director shall resign, or shall be removed, or shall die, or shall cease to be a Director of the said Company, a Memorial of the Name or Names, Description and Descriptions of the Person or Persons, as shall succeed such Managing Director or other Director so resigning, being removed, dying, or ceasing to be a Director, shall within Three Months be enrolled in the Form or to the Effect expressed in the said Schedule.

No Action shall be brought until the Memorial is enrolled.

III. Provided always, and it is further enacted, That until such Memorial as before first mentioned shall have been enrolled in Manner herein directed, no Action shall be brought by the said Company under the Authority of this Act; and all the Directors whose Names shall be expressed in the last Enrolment shall continue liable to all Actions, Suits, Judgments, and Executions, and shall for all the Purposes of this Act be or be considered to be Managing Director or other Director, as the Case may be, of the said Company, until a Memorial or Memorials of the succeeding Director or Directors shall have been enrolled as aforesaid.

IV. Pro-

Executions may issue against any other Director.

IV. Provided always, and be it enacted, That Execution upon any Judgment in any such Action obtained against the Managing Director or other Director for the Time being of the said Company, whether as Plaintiff or Defendant, may be issued against any other Director or Directors of the said Company: Provided always, that every such Managing Director or other Director, in whose Name any such Action or Suit shall be commenced, prosecuted, or defended, or against whom Execution upon any Judgment obtained in any such Action shall be issued, as aforesaid, he or they having when made Defendant or Defendants in any such Action, within Seven Days after Service of Process, given Notice thereof at the Office of the said Company, that the said Company may defend the same by their own Solicitor, and under their own Superintendance, if they think fit, shall always be reimbursed and paid out of the Funds of the said Company all such Costs and Charges, as by the Event of any such Proceedings he or they shall be put unto or become chargeable with.

Act always to extend to the Company of "The County Fire Office."

V. And it is further enacted, That the Provisions contained in this Act shall extend and be construed to extend to the said Association or Company, called *The County 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 or Partners 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 or Partners of the same.

Act not to relieve the Company from their Responsibility.

VI. 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 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 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.

Public Act.

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.

SCHEDULE

SCHEDULE referred to by this Act.

MEMORIAL of the Names of the Managing Director, and the other Directors of the County Fire Office, enrolled 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* [*here insert the Title of this Act.*]

A. B. maketh Oath, that the above-written Memorial doth contain the Names of the present Managing Director, and of all the other Directors of the said Company, as the same appear in the Books of the said Company.

MEMORIAL of the Name or Names and Description or Descriptions of the Person or Persons appearing to be Successor or Successors of the Managing Director (or other Directors) of the County Fire Office Company, since the Day of

and 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 Act of Parliament, passed in the Fifty-fourth Year of the Reign of His present Majesty, intituled *An Act*

A. B. of, &c. maketh Oath, that the above-written Memorial doth contain the Name or Names of the Person or Persons appearing to be Successor or Successors of *C.D. E.F. G.H.* the Managing Director and other Directors of the County Fire Office, as the same appear in the Books of the said Company.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1824.