ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

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Cap. 124.

An Act to alter and explain two Acts for enabling the Pelican Life Inſurance Company to ſue in the Name of their Secretary, and to inrol Annuities.

[27th *May* 1809.]

WHEREAS an Act was paſſed in the Seventeenth Year of His preſent Majeſty's Reign, intituled, *An Act for regiſtering the Grants of Life Annuities, and for the better Protection of Infants againſt ſuch Grants*, whereby it was and is required, that a Memorial of every Inſtrument granting any ſuch Annuity or Rent Charge as is therein-mentioned ſhould, within the Time therein-mentioned, be inrolled in the High Court of Chancery, and that ſuch Memorial ſhould, among other Particulars, contain the Names of all the Parties, and for whom any of them were Truſtees: And by the ſaid Act it is alſo required, that in every Deed, Inſtrument, or other Aſſurance, whereby any Annuity or Rent Charge ſhould, from and after the paſſing of the ſaid Act, be granted or attempted to be granted, the Conſideration really and *bonâ fide* paid (which ſhould be in Money only), and alſo the Name or Names of the Perſon or Perſons, by whom and on whoſe Behalf the ſaid Conſideration or any Part thereof ſhould be advanced, ſhould be fully and truly ſet forth and deſcribed in Words at length: And whereas by an Act paſſed in the Forty-ſeventh Year of the Reign of His preſent Majeſty, intituled, *An Act to enable The Pelican Life Inſurance Company, to ſue in the Name of their Secretary, and to inrol Annuities*; after reciting the ſaid Act of the Seventeenth Year of His preſent Majeſty, and that the ſaid Society or Partnerſhip, by reaſon of the Number of Perſons who were or might be intereſted therein, was unable to comply with the Requiſitions of the ſaid Act of the Seven-

17 G. 3.

47 G. 3. c. 33.

teenth Year of His preſent Majeſty, and was prevented thereby from rendering the Contracts of the ſaid Society or Partnerſhip, for the Purchaſe or Sale of Annuities, effectual and valid, it was enacted, "That it ſhould and might be lawful to and for the ſaid Society or "Partnerſhip to inrol in the High Court of Chancery a Memorial of every "Deed, Bond, Inſtrument, or other Aſſurance whereby any Annuity or "Rent Charge ſhould, from and after the paſſing of the now reciting Act, "be granted to or by the ſaid Society or Partnerſhip, for 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 Parties to ſuch "Deed, Bond, Inſtrument, or other Aſſurance, and that ſuch Inrol-"ment ſhould (all other Requiſites of the ſaid recited Act of the Seven-"teenth Year of His preſent Majeſty being duly complied with) be as "good and effectual, to all Intents and Purpoſes, as if the Names of all "the Perſons for whom ſuch Parties reſpectively, or any or either of "them, ſhould be Truſtees or a Truſtee, were or was ſtated therein, "any Law, Statute, or Cuſtom to the contrary notwithſtanding:"

47 G. 3. c. 3. And whereas another Act was paſſed in the ſaid Forty-ſeventh Year of the Reign of His preſent Majeſty, intituled, *An Act to explain an Act of the Forty-ſeventh Year of His preſent Majeſty, for enabling The Pelican Life Inſurance Company to ſue in the Name of their Secretary, and to inrol Annuities;* whereby it was enacted, "That "the ſaid Act, and the Proviſions and Powers therein contained, ſhould "extend and be conſtrued to extend to the ſaid Company, called "The Pelican Life Inſurance Company," whether the ſaid Company "ſhould be compoſed of all or of ſome of the Perſons who, at the Time of "paſſing the ſaid Act, were Members of the ſaid Company, or ſhould "be compoſed of all or of ſome of thoſe Perſons, together with ſome "other Perſons, or be compoſed of Perſons all of whom ſhould have "become Members thereof ſince the paſſing of the ſaid Act:" And whereas Doubts have ariſen whether the ſaid recited Acts of the Forty-ſeventh Year of His preſent Majeſty are in all reſpects effectual for the Purpoſes for which the ſame were intended: Wherefore for obviating and removing ſuch Doubts, may it pleaſe Your Majeſty, That it may be enacted, and be it enacted and declared 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 immediately after the paſſing of this Act, in all Agreements, Covenants, Contracts, Bonds, Obligations, Warrants, Judgments, Grants, Charges, Surrenders, Fines, Recoveries, Conveyances, and other Aſſurances whatſoever by which any Annuity or yearly Rent hath been or ſhall be ſold, limited, or otherwiſe aſſured to or in Truſt for or for the Benefit of the ſaid Society or Partnerſhip, called The Pelican Life Inſurance Company, or to any Perſon or Perſons acting for or on the Behalf of the ſaid Society or Partnerſhip, or by which any Annuity or yearly Rent hath been or ſhall be granted, ſold, limited, or otherwiſe aſſured by the ſaid Society or Partnerſhip called The Pelican Life Inſurance Company, or by any Perſon or Perſons acting for or on the Behalf of the ſaid Society or Partnerſhip, and in all Memorials of the ſaid Aſſurances reſpectively, the Names of the Members of the ſaid Society or Partnerſhip, and of all the Perſons intereſted in the ſame, or acting on the Part or Behalf of the ſaid Members, or other Perſons, or any of them, or for whom they or any of them are Truſtees, ſhall, for all the Purpoſes of the ſaid Act of the Seventeenth Year of the Reign of His preſent Majeſty, be con-

Grants, &c. of Annuities ſufficient, if expreſſed to be for the Benefit of The Pelican Life Inſurance Company.

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ſidered to be ſufficiently mentioned, expreſſed, and contained within the Proviſions of the ſaid Act of the Seventeenth Year of the Reign of His preſent Majeſty, and the true Intent and Meaning of the ſame, if, in the Aſſurances, or any one of the Aſſurances, by which ſuch Annuities or Rents reſpectively ſhall be ſold and ſecured, and in the Memorials of the ſame reſpectively, it is or ſhall be expreſſed, or appears or ſhall appear, that the Annuity or yearly Rent ſo granted, ſold, limited, or otherwiſe aſſured, is thereby granted, ſold, limited, or otherwiſe aſſured by the ſaid Society or Partnerſhip, or to or for the Benefit of the ſaid Society or Partnerſhip, as the Caſe may be: And that the Conſideration for the ſame is paid, advanced or given to or by, or on the Behalf, or on the Account of the ſaid Society or Partnerſhip, as the Caſe may be: And thereupon, (the other Requiſites of the ſaid Act of the Seventeenth Year of the Reign of His ſaid Majeſty being complied with,) the ſaid Deeds and Aſſurances, and the Memorials of the ſame, ſhall be as valid and effectual to all Intents, Effects, Conſtructions and Purpoſes whatſoever, as if the Names of all the Members of the ſaid Society or Partnerſhip, and of all the Perſons intereſted in the ſaid Society or Partnerſhip, or repreſented by them, or for or on the Behalf of whom they or any of them have acted or been Truſtees, or paid, advanced, or given the Money or other Conſideration for the ſaid Annuities, or ſhall act or be Truſtees, or pay or advance or give the Money, or other Conſideration for the ſaid Annuities, were ſtated in the ſaid Aſſurances and Memorials reſpectively, in the Manner preſcribed by the ſaid Act.

Proviſions always to extend to The Pelican Life Inſurance Company.

II. And be it further enacted, That the Proviſions contained in this preſent Act, as well as the Proviſions contained in the ſaid two recited Acts of the Forty-ſeventh Year of His preſent Majeſty, ſhall extend, and be conſtrued to extend, to the ſaid Society or Partnerſhip, called The Pelican Life Inſurance Company, at all Times during the Continuance of the ſaid Society or Partnerſhip, 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.

Not to extend to incorporate the Society or Partnerſhip.

III. Provided always, That nothing herein contained ſhall extend, or be conſtrued 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 Dealers with the ſame reſpectively, from any Contracts, Duties, Obligations, or Reſponſibility whatſoever, which, by Law, they are or hereafter ſhall be ſubject or liable to, either as between ſuch Society or Partnerſhip and others, or between the individual Members of ſuch Society or Partnerſhip, or any of them and others, or among themſelves or in any other Manner whatſoever, except ſo far as the ſame is effected by the Proviſions of the preſent Act, and the true Intent and Meaning of the ſame.

Public Act.

IV. 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.

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