ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 8.

An Act to enable *The Sun Life Assurance Society* to sue and be sued in the Name of their Chairman or Secretary, under certain Regulations.

[17th *December* 1813.]

WHEREAS several Persons have formed themselves into a Society or Partnership under the Name of *The Sun Life Assurance Society*, and have subscribed or raised considerable Sums, in order to effect Assurances on Lives, to grant and purchase Annuities, and to endow Children: 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 assembled, and by the Authority of

Enabling the Society to ſue and be ſued in the Name of their Chairman or Secretary.

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 Life Aſſurance Society*, 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 Chairman or Secretary 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 or lawfully may be commenced, inſtituted, and proſecuted againſt the Chairman or Secretary 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 or lawfully may be had or preferred and carried on in the Name of the Chairman or Secretary 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 Chairman or Secretary 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 Chairman or Secretary 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 Chairman or Secretary 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.

Execution upon Judgment againſt the Chairman or Secretary, may be iſſued againſt any of the Members, who are to be reimburſed their Expences by the Society.

II. Provided always, and be it enacted, That Execution upon any Judgment in any ſuch Action obtained againſt the Chairman or Secretary 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 Chairman or Secretary, 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 into or become chargeable with.

III. And

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

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.

Actions not to be brought until the Memorial has been inrolled.

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.

The Proviſions of this Act to extend to The Sun Life Aſſurance Society for the Time being.

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 ſubſequent to the paſſing of this Act.

Judgments on Actions againſt the Chairman or Secretary, ſhall extend to the Property of the Society.

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 Chairman or Secretary 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 Chairman or Secretary 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 Chairman or Secretary 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 Chairman or Secretary of the ſaid Society or Partnerſhip had happened or taken place.

This Act ſhall not extend to incorporate the Society.

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,

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 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 Life Aſſurance Society, 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 *Life-Aſſurance Society to ſue, and be ſued, in the Name of their Chairman, or Secretary, under certain Regulations.*

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

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 Life-Aſſurance Society, 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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