ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. xlvi.

An Act to enable *The Union Society* for effecting Insurance from Fire, and *The Union Life Office* for effecting Insurances on Lives and Survivorships, and for granting and purchasing Annuities, to sue and be sued in the Name of the Chairman or Secretary for the Time being. [12th *May* 1815.]

WHEREAS several Persons have formed themselves into a Society or Partnership by the Name of The Union Society for effecting Insurance from Fire, and the Name of The Union Life Office for effecting Insurances on Lives and Survivorships, and for granting and purchasing Annuities, and for other Purposes connected therewith; and have subscribed or raised a Capital of Three hundred thousand Pounds in order to carry the same into effect: And whereas the Public hath been greatly benefited by the Formation of such Societies with competent Capitals, and a considerable Revenue is derived to His Majesty therefrom: And whereas Difficulties have arisen and may arise hereafter in recovering Debts due to the said Society or Partnership, and in maintaining Actions for Damages done to the Property of the said Society or Partnership; and also in prosecuting Persons who may steal or embezzle the Monies or Effects of the said Society or Partnership, or who may commit or be guilty of any other Offence against the said Society or Partnership, since by Law all the Members for the Time being of the said Society or Partnership must be named in every Action, Suit, or Prosecution carried on for such Purpose: And whereas it would be convenient that Persons having Demands against the said Society or Partnership should be entitled to sue the Chairman or Secretary thereof: 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, Suits, and Petitions to found any Commission of Bankruptcy against any Person or Persons indebted to the said Society or Partnership, called The Union Society for effecting Insurance from Fire, and The Union Life Office for effecting Insurances on Lives and Survivorships, and for granting and purchasing Annuities, and liable

Actions at Law to be in the Name of the Chairman, &c.

to be made a Bankrupt or Bankrupts by the Laws now or at any Time hereafter to be in being relative to Bankrupts and Traders, and all Proceedings at Law or in Equity under any Commiſſion or Commiſſions of Bankrupt to be awarded in conſequence of any ſuch Petitions to be commenced and inſtituted or proſecuted by or on Behalf of the ſaid Society or Partnerſhip againſt any Perſon or Perſons, or Body or Bodies Politic or Corporate, or wherein the ſaid Society or Partnerſhip is or ſhall be concerned or intereſted, ſhall or lawfully may be commenced or inſtituted and proſecuted in the Name of the Perſon who ſhall act as Chairman of the ſaid Society or Partnerſhip for the Time being, or of the Perſon who ſhall act as Secretary of the ſaid Society or Partnerſhip for the Time being, as the nominal Plaintiff or Petitioner for and on Behalf of the ſaid Society or Partnerſhip; and that all Actions and Suits to be commenced, inſtituted, or carried on, by or on Behalf of the ſaid Society or Partnerſhip, againſt any Perſon or 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 the Chairman, or in the Name of the Perſon who ſhall be the Secretary of the ſaid Society or Partnerſhip, at the Time ſuch Action, Suit, or Proceeding, ſhall be inſtituted, as the nominal Plaintiff for and on Behalf of the ſaid Society or Partnerſhip; and that all Actions and Suits to be commenced or inſtituted againſt the ſaid Society ſhall be commenced, inſtituted, and proſecuted againſt the ſaid Chairman or Secretary as the nominal Defendant for and on Behalf of the ſaid Society or Partnerſhip, and that all Proſecutions to be brought, inſtituted, or carried on by or on Behalf of the ſaid Society or Partnerſhip for Fraud upon or againſt the ſaid Society or Partnerſhip, or for Embezzlement, Robbery, or Stealing the Property of the ſaid Society or Partnerſhip, or for any other Offence againſt the ſaid Society or Partnerſhip, ſhall and lawfully may be ſo brought or inſtituted and carried on in the Name of ſuch Chairman or Secretary for the Time being of the ſaid Society or Partnerſhip; and in all Indictments and Informations it ſhall be lawful to ſtate the Property of the ſaid Society or Partnerſhip to be the Property of ſuch Chairman or Secretary for the Time being of the ſaid Society or Partnerſhip; and any Offence committed with Intent to injure or defraud the ſaid Society or Partnerſhip ſhall and lawfully may in ſuch Proſecution be laid to have been committed with Intent to injure or defraud ſuch 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 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 Society or Partnerſhip, it ſhall and may be lawful and ſufficient from and after the paſſing of this Act to ſtate the Name of ſuch Chairman or Secretary; and the Death, Reſignation, or Removal, or other Act of ſuch Chairman or Secretary ſhall not abate any ſuch Action, Suit, or Proſecution.

Directing the Names of the Members to be enrolled in the High Court of Chancery.

II. And be it further enacted, That a Memorial of the Names of the ſeveral Perſons being Members of the ſaid Society, in the Form for that Purpoſe 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 Transfer of any Share or Shares of any Member of the ſaid Society ſhall be made, a Memorial thereof ſhall in like Manner be enrolled as aforeſaid within Twenty-eight Days afterwards, in the Form or to the Effect expreſſed in the ſaid Schedule for that Purpoſe.

III. Pro-

No Actions to be brought until Memorial shall have been enrolled.

III. Provided always, and be it further enacted, That until such Memorial as first herein-before mentioned shall have been enrolled 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 any Enrolment to be made in pursuance of this Act shall continue liable to all Actions, Suits, Judgments, and Executions until a Memorial or Memorials of Transfer of the Shares of such Members shall have been enrolled as aforesaid.

Execution upon any Judgment may be issued against any Member of the Society, &c.

IV. 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 Funds 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.

One Action only to be brought upon one Cause.

V. Provided always, and be it further enacted, That no Person or Persons, Bodies Politic or Corporate, having or claiming to have any Demand upon or against the said Society or Partnership, shall bring more than one Action in respect of such Demand; and the Proceedings in any Action against one of the Members may be pleaded in bar of any Action or Actions for the same Cause against any other Member or Members of the said Society or Partnership, or against the Secretary for the Time being of the said Society or Partnership.

That Judgements on Actions against the Chairman or Secretary shall extend to the Property of the Company, and not to affect the Competency of the Secretary as a Witness.

VI. And be it further enacted, That all and every Judgement and Judgements 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 Person acting as Chairman, or against the Person acting as Secretary of the said Society or Partnership for the Time being, shall have the like Effect and Operation upon and against the Property of the said Society or Partnership, as if such Judgement or Judgements had been recovered or obtained against the said Society or Partnership themselves: Provided always, that the Person acting as Secretary, being the Plaintiff, Petitioner, Prosecutor, or Defendant, in any such Actions, Suits, Proceedings, Prosecutions, or Indictments as aforesaid, shall not affect the Competency of such Person to be a Witness in any such Actions, Suits, Petitions, Prosecutions, and Indictments, in the same Manner as he might have been if his Name had not been made use of as the Plaintiff, Petitioner, or Prosecutor in any such Actions, Suits, Proceedings, Prosecutions, or Indictments.

This Act to be at all Times valid.

VII. And be it further enacted, That the Provisions contained in this Act shall extend and be construed to extend to the said Society or Partnership called The Union Society for effecting Insurance from Fire, and The Union Life Office for effecting Insurances on Lives and Survivorships, and for granting and purchasing Annuities 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

together with ſome other Perſons, or ſhall be compoſed altogether of Perſons who were not original Members or Partners of the ſame.

The Society not incorporated, nor diſcharged from any Reſponſibility, &c. as Individuals.

VIII. 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 Society or Partnerſhip, or to relieve or diſcharge the ſaid Society, 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 Society or Partnerſhip and others, or between the individual Members of the ſaid 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 affected by the Proviſions of this preſent Act, and the true Intent and Meaning of the ſame.

Public Act.

IX. 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 referred to by this Act.

MEMORIAL of the Names of the Members of The Union Society for effecting Inſurance from Fire, and The Union Life Office for effecting Inſurances on Lives and Survivorſhips, and for granting and purchaſing Annuities; to be enrolled purſuant to an Act of Parliament paſſed in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, intituled [*here inſert the Title of this Act*].

A. B. Secretary of the above-named Society or Partnerſhip, maketh Oath that the above-written Memorial doth contain the Names of all the preſent Members of the ſaid Society or Partnerſhip, as the ſame appear in the Books of the ſaid Society or Partnerſhip.

MEMORIAL of Aſſignment of Share in The Union Society for effecting Inſurance from Fire, and The Union Life Office for effecting Inſurances on Lives and Survivorſhips, and for granting and purchaſing Annuities; to be enrolled in purſuance of an Act of Parliament paſſed in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, intituled [*here inſert the Title of this Act*].

E. F. on the Day of aſſigned Shares to *G. H.* of of in the County of

A. B. of Secretary to the ſaid Society or Partnerſhip, maketh Oath that the Aſſignment above mentioned hath been duly made, as appears by the Documents in the Poſſeſſion of the ſaid Union Society.

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