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GEORGI III. REGIS.

Cap. 34.

An Act to enable *The Provident Institution* to sue in the Name of their Managing Director; and to inrol Annuities. [25th April 1807.]

WHEREAS several Persons have formed themselves into a Society or Partnership under the Name of *The Provident Institution*, and have subscribed or raised very considerable Sums, in order to effect Insurances on Lives, and to grant and purchase Annuities: And whereas the Public hath been greatly benefited by the Formation of such Society or Partnership, with a competent Capital to carry on the same, and a considerable Revenue may be derived to His Majesty therefrom: And whereas Difficulties may from Time to Time arise, as well in recovering Debts which may grow due to the said Society or Partnership, called *The Provident Institution*, as in prosecuting Persons who may steal or embezzle the Property of, or who may commit or be guilty of any other Offence against, or with Intent to injure or defraud the said Society or Partnership, as, by Law, all the several Subscribers or Proprietors to and in such Society or Partnership must in such Cases sue and prosecute by their several and distinct Names and Descriptions: And whereas an Act was passed in the Seventeenth Year of His 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 whereas the said Society or Partnership, by reason of the Number of Persons who are or may be interested therein, is unable to comply with the Requisitions of the said Act in the last-mentioned Respect, and is pre-

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Suits to be instituted in the Name of the Managing Director.

vented thereby from rendering the Contracts of the said Society or Partnership for the Purchase or Sale of Annuities effectual and valid: Wherefore, for the more easily carrying into Execution the several Undertakings hereinbefore mentioned, and for 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 all Actions and Suits to be commenced or instituted by or on behalf of the said Society or Partnership against any Person or Persons, or Body or Bodies Politic or Corporate, shall or lawfully may be commenced or instituted and prosecuted in the Name of the Managing Director 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 all Actions and Suits to be commenced or instituted against the said Society or Partnership, shall be commenced, instituted, and prosecuted against the Managing Director for the Time being of the said Society or Partnership, as the nominal Defendant for and on behalf of the said Society or Partnership; and that all Prosecutions to be brought or instituted by or on behalf of the said Society or Partnership for Fraud upon or against, or for Embezzlement, Robbery of, or stealing the Property of the said Society or Partnership, or for any other Offence committed against, or with Intent to injure or defraud the said Society or Partnership, shall or lawfully may be so brought or instituted, and carried on, in the Name of the Managing Director 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 the Managing Director 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 the said Managing Director 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 the Death, Resignation, or Removal, or other Act of any such Managing Director, shall not abate any such Action, Suit, or Prosecution.

Act not to incorporate the Society, or discharge them from Responsibility.

II. Provided always, 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 Partnership, or any of the Members thereof, or Subscribers thereto respectively, from any Responsibility, Contracts, Duties, or Obligations whatsoever, which, by Law, they may now, or at any Time hereafter, be subject or liable to, either as between such Society or Partnership and others, or between the or any of the individual Members of such Society or Partnership and others, or among themselves, or in any other Manner whatsoever.

Society may inrol Memorial of Assurances in the Name of the Parties thereto.

III. And be it further enacted, That it shall and may 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 shall, from and after the passing of this 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,

Deed, Bond, Instrument, or other Assurance ; and such Inrolment shall (all other Requisites of the said recited Act 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, shall be Trustees, or a Trustee, were or was stated therein, any Law, Statute or Custom to the contrary notwithstanding.

IV. And be it further enacted, That this Act shall be deemed and taken **Public Act.** 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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