



ANNO SEXTO

VICTORIÆ REGINÆ.

No. 14.

By His Excellency GEORGE GREY Esquire Governor and Commander-in-Chief of Her Majesty's Province of South Australia and its Dependencies and Vice-Admiral of the same by and with the advice and consent of the Legislative Council.

AN ACT to amend an Act to facilitate Proceedings by and against the South Australian Marine and Fire and Life Assurance Company.

WHEREAS an Act of the Governor and Council of South Australia as passed in the fifth year of Her present Majesty's reign intituled "An Act to facilitate Proceedings by and against the South Australian Marine and Fire and Life Assurance Company" whereby *inter alia* enacted that all actions and suits and all proceedings at law and in equity by or on behalf of the said Company or wherein the said Company is or shall be in any way concerned shall and may lawfully commenced instituted and prosecuted or carried on in the name of the person who shall be the Managing Director of the said Company at the time any such action suit or proceeding shall be commenced or instituted as the nominal plaintiff complainant or petitioner for and on behalf of the said Company and all actions suits and proceedings against the Company shall be commenced instituted and

and prosecuted against the Managing Director for the time being as the nominal defendant and the death resignation or removal or other act of such Managing Director shall not abate any action suit or prosecution but the same may be continued where it left off prosecuted and carried on in the name of any person who may be or become Managing Director of the said Company for the time being and that a memorial of the name of such Managing Director shall be recorded in the Supreme Court within such time and in manner and form as by the said Act is directed: And whereas the said Act does not make it imperative on the said Company forthwith to appoint a successor in the event of the death resignation or removal of any such registered Managing Director and does not provide any means by which the said Company may be sued in case of such failure and it is expedient to amend the said Act in these respects:

On a vacancy of Managing Director Company to re-elect within three months.

BE IT THEREFORE ENACTED BY HIS EXCELLENCY GEORGE GREY Esquire Governor and Commander-in-Chief of Her Majesty's Province of South Australia and its Dependencies and Vice-Admiral of the same by and with the advice and consent of the Legislative Council thereof That from and after the passing of this Act on the death resignation or removal of any Managing Director or on any Act or occurrence causing a vacancy in the office of any such Managing Director aforesaid the said Company shall forthwith and within three months from and after the day of such vacancy arising elect in his place a new Managing Director and shall thereafter cause a memorial of his name to be recorded in the Supreme Court within such time and in such manner and form as by the said Act is directed and if the said Company shall fail so to elect a new Managing Director or duly to record a memorial of the name of any new Managing Director elected in pursuance of this or of the recited Act within such times as are respectively before mentioned such Company shall wholly forfeit all benefit and advantage under or by virtue of the aforesaid Act and no new Managing Director elected or registered after the expiration of such respective times aforesaid shall be capable of suing in any action suit or other proceeding on behalf of the said Company under the authority of the said recited Act.

Any member may be sued.

II. And be it further enacted that anything in this or the recited Act notwithstanding it shall be lawful for any person having any cause of action against the said Company to sue any person or persons being a member or members of the said Company at the time of the cause of action arising or being named on the list last recorded on oath in the Supreme Court under the provisions of the said Act before the raising of such action and such and the like proceedings and consequences shall

shall be from time to time kept by the Sheriff and such service shall exempt him from service as a Juryman either at Courts of Sessions of the Peace or in the Supreme Court until it shall again come round to his turn to serve.

G. GREY,
Governor South Australia.

*Passed the Legislative Council this Eighteenth }
day of February One Thousand Eight }
Hundred and Forty-three.*

A. M. MUNDY,
Clerk of Council.

to cause to be returned out of the persons whose names

ADELAIDE:

Printed by authority, by ARCHIBALD MACDOUGALL, Government Printer, Rundle-street.

1843.

6th Vict.

No 14.

Proceedings against S. A. Marine
Fire and Life Assurance Co

No 15.

To further provide trial by Jury next
General Sessions

Expire

Section 4: Repealed: 1880-1928.510.