ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. CXXV.

An Act to amend an Act made in the Thirty-third Year of His present Majesty, for the Encouragement and Relief of Friendly Societies.

[20th *June* 1809.]

WHEREAS great Advantage has been derived as well to the Publick as to Individuals, by the Establishment of Friendly Societies, under the Authority of an Act of the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act for the Encouragement and Relief of Friendly Societies:* And whereas it is expedient to make further Provision for the Attainment of the good Purposes intended thereby; be it therefore 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 if any Person having been admitted a Member of any Society established under the Authority of the said Act, shall offend against any of the Rules, Orders, or Regulations of such Society, it shall be lawful for any Two Justices of the Peace residing within the County, Riding, Division, Shire, Stewartry, City, Liberty, or Place within which such Society shall be held, upon Complaint made on Oath by any Member of such Society, to issue their Summons to such Person against whom such Complaint shall be made, and upon his or her Appearance, or, in Default thereof, upon due Proof upon Oath of the Service of such Summons, such Justices shall proceed to hear and determine the said Complaint according to the Rules, Orders, and Regulations of the said Society confirmed as directed by the said Act, and shall make such

33 G. 3. c. 54.

Justices on Complaint may enforce the Observance of the Rules, and levy any Arrears by Distress and Sale.

such Order therein as to them shall seem just; and in case the said Justices shall adjudge any Sum of Money to be paid by such Person against whom such Complaint shall be made, and such Person shall not on Notice of such Order forthwith pay the Sum of Money so adjudged to the Person or Persons, and in the Manner directed by this Act, it shall be lawful for such Justices, and they are hereby required by Warrant under their Hands and Seals, to cause the same to be levied by Distress and Sale of the Goods of such Person on whom such Order shall have been made, together with such Costs as shall be awarded by the said Justices, and also the Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner.

Societies established before 1796 allowed to file their Rules.

II. And whereas it was provided by the said Act of the Thirty-third Year of the Reign of His present Majesty, that no Society to be established for the Purposes therein recited should be deemed and taken to be within the Meaning of the same Act, unless the Rules of the Society should be filed at the Quarter Sessions of the Peace before the End of the Year One thousand seven hundred and ninety-four, which Time was enlarged by an Act of the Thirty-fifth Year of His present Majesty's Reign to *Michaelmas* One thousand seven hundred and ninety-six: And whereas it is expedient that all Societies which were established under the Authority of the first recited Act for the laudable Purposes thereby intended, previously to the same having been passed, should be allowed to file their Rules, notwithstanding their having omitted to do so within the Times limited; be it therefore enacted, That all such Societies, the Rules, Orders, and Regulations of which shall have been exhibited to the Justices of the Peace since *Michaelmas* One thousand seven hundred and ninety-six, or which shall at any Time hereafter be exhibited in the Manner directed by the said recited Act of the Thirty-third Year of His present Majesty, and which shall have been or shall be dealt with, examined, approved of and confirmed by the Justices in the Manner therein directed, and have been or shall be deposited with the Clerk of the Peace and filed as directed also by the said Act, shall be deemed and taken to be within the Intent and Meaning of the said Act, as amply and for all Purposes as if their Rules had been established within the Periods limited in either of the recited Acts.

Orders of Justices for Payment of Money, to specify the Time and Manner of Payment.

III. And be it further enacted, That if Complaint shall be made to Two such Justices of the Peace by any Member of such Societies, of Relief having been refused to him by any such Society, to which he shall be lawfully entitled according to the Rules of the Society to which he shall belong, it shall be lawful for the said Two Justices of the Peace residing within the County, Riding, Division, Shire, Stewartry, City, Liberty, or Place, within which such Society shall be held, and such Justices are hereby required, upon Complaint made by or on the Behalf of the Person aggrieved thereby, to summon the Person, being an Officer of the Society against whom such Complaint shall be made, and upon his or her Appearance, or in default thereof, upon due Proof upon Oath of the Service of such Summons, such Justices shall proceed to hear and determine the said Complaint, and award such Sum of Money to be forthwith paid to the said Complainant as shall appear to such Justices to be due on such Award as aforesaid, together with such a Sum for Costs, not exceeding the Sum of Ten Shillings, as to such Justices shall seem meet; and if the said Sums so to be awarded, together with such Costs, shall not be

forthwith and in the Preſence of ſuch Juſtice or Juſtices paid to ſuch Complainant, or to ſome Perſon or Perſons there attending on the Behalf of ſuch Complainant, then ſuch Juſtices ſhall by Warrant under their Hands and Seals, cauſe ſuch Sum and Coſts as aforeſaid to be levied by Diſtreſs or by Diſtreſs and Sale of the Monies, Goods, Chattels, Securities, and Effects belonging to the ſaid Society, together with all further Coſts and Charges attending ſuch Diſtreſs, or ſuch Diſtreſs and Sale, returning the Overplus (if any) to the ſaid Society, or to one of the Treaſurers or Truſtees thereof, and in default of ſuch Diſtreſs being found, then to be levied by Diſtreſs and Sale of the proper Goods of the Officer or Officers of the ſaid Society ſo neglecting or refuſing as aforeſaid, together with ſuch further Coſts and Charges as aforeſaid, returning the Overplus (if any) to the Owner, and ſo from Time to Time as often as Complaint ſhall be made of the Non-payment of any Sum or Sums directed by ſuch Order to be paid as aforeſaid, ſuch Juſtices ſhall by like Warrant cauſe ſuch Arrears from Time to Time to be levied in the Manner before directed: Provided always, that whatever Sums ſhall be paid by any ſuch Officer or Officers, or levied on his or their proper Goods in purſuance of the Order of any Juſtices as aforeſaid, ſhall be repaid, with all Damages accruing to him or them, by and out of the Monies belonging to ſuch Society, or out of the firſt Monies which ſhall thereafter be received by ſuch Society.

Orders of Juſtices to be made on Officers of Societies by Name, and ſerved on them.

IV. And be it further enacted, That all Orders made by Juſtices of the Peace by virtue of the ſaid Act or this Act, upon the Complaint of any Perſon having been admitted a Member of any Society eſtabliſhed under the ſaid Act, who ſhall be aggrieved by any Act, Matter, or Thing done or omitted to be done by any ſuch Society, ſhall be made upon the Preſidents, Wardens, Stewards, Treaſurers, Truſtees, or other principal Officers of the Society to which ſuch Complaint ſhall relate, or any One or more of them, or any of them, at the Diſcretion of the ſaid Juſtices, in the proper Name or Names of ſuch Officer or Officers; and every ſuch Order may be ſerved upon the Officer or Officers ſo named therein, either by delivering a Copy of the ſaid Order to ſuch Officer or Officers, or one of them, or leaving the ſame at his laſt or uſual Place of Abode; and ſuch Service ſhall be binding on ſuch Officer or Officers, and on the Society to which ſuch Officer or Officers ſhall belong, to do and perform, or cauſe to be done and performed, all and every the Matters and Things contained in and directed by ſuch Order, to be done according to the true Intent and Meaning thereof.

Orders to be final.

V. And be it further enacted, That every Order, Adjudication, or Award of any Juſtice or Juſtices under this Act, ſhall be final and concluſive to all Intents and Purpoſes, and ſhall not be removed or removable into any Court of Law, or reſtrained or reſtrainable by the Injunction of any Court of Equity.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1809.