CAP. LVII.

An Act to authorize an Extension of the Time for Repayment of a Loan made by the *West India* Relief Commissioners to the Island of *Dominica*.

[6th *August* 1860.]

5 & 6 W. 4. c. 51. 2 & 3 W. 4. c. 125.

'WHEREAS under the Provisions of an Act passed in the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty-one, the Commissioners acting in the Execution of an Act of the Session holden in the Second and Third Years of King *William* the Fourth, Chapter One hundred and twenty-five, advanced by way of Loan in the Month of *March* One thousand eight hundred and thirty-six the Sum of Ten thousand Pounds for the Public Service of the Island of *Dominica*, such Loan to be repaid in Ten Years from the Date of the Advance, with Interest in the meantime after the Rate of Four Pounds *per Centum per Annum;* and by an Act of the Legislature of *Dominica*, the Repayment, as aforesaid, of such Loan, with Interest, was secured on the Revenues and Public Property of that Island: And whereas the Principal Sum of Four thousand five hundred and ninety-five Pounds Six Shillings and Tenpence was paid in reduction of the said Sum of Ten thousand Pounds; but the Residue of such last-mentioned Sum, with large Arrears of Interest thereon, remains unpaid: And whereas the Lords Commissioners of Her Majesty's Treasury proposed (and caused to be communicated to the Government of *Dominica*) the following Terms for the Liquidation of the Balance of the said Loan and Interest, viz., that on the Government of *Dominica* making a legal Provision for the Payment of the annual Instalments, their Lordships would be prepared to capitalize the Arrears of Interest due, and to ask the Sanction of Parliament, not only to extend the Period for Payment, but also to reduce the Rate of Interest from Four to Three and a Quarter *per Centum*, and they would propose that such Sum should be liquidated by an Annuity for Twenty Years, computed at the Rate of Three and a Quarter *per Centum* Interest, the Annuity including such Interest and a Sinking Fund for the Principal: And whereas it is expedient that the Commissioners of Her Majesty's Treasury should be authorized to direct the Commissioners acting in the Execution of the recited Acts to accept the Repayment of the Balance due in respect of the said Loan by such Instalments or Annuity as aforesaid:' Be it therefore enacted by the Queen'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, as follows; (that is to say,)

Power to Treasury to accept an Annuity in lieu of Monies due in respect of Balance of Loan due from Dominica.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury, if it shall appear to them that the Legislature of the said Island of *Dominica* have made a legal Provision for the Payment of such annual Instalments or Annuity for Twenty Years as herein-before mentioned, to direct that such Payment be accepted in liquidation of the Monies due in respect of the Balance of the said Loan of Ten thousand Pounds, and all Interest due or to become due in respect thereof.

CAP. LVIII.

An Act to amend the Act of the Eighteenth and Nineteenth Years of Her Majesty relating to Friendly Societies. [6th *August* 1860.]

BE it enacted by the Queen'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, as follows:

In case of Dissolution of Society under

I. In case of the Dissolution of a Society, according to the Provisions of the Thirteenth Section of the Act passed in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Sixty-

Sixty-three, it shall not be necessary to state in the Agreement the intended Appropriation or Division of the Funds or other Property, but it shall be lawful to the Members, if they shall think fit, to refer such Appropriation or Division to the Award of the Registrar; and in case Application shall be made in Writing by the Members of a Society, not being less in Number than Five Eighths of the whole Body thereof, setting forth that the Funds of such Society are insufficient to meet the Claims thereon, with the Grounds upon which such Insufficiency can be proved, it shall be lawful for the Registrar to investigate the same, and if upon such Investigation he shall find that the said Society is in an insolvent Condition, and that it would conduce to the Interests of all Parties concerned, that the Affairs of the Society should be wound up and brought to a Termination, he shall make an Award to that Effect, and shall direct in what Manner the Funds and Property of the Society shall be divided or appropriated, and it shall not be necessary in such Case that the Provisions of the said Thirteenth Section be complied with; provided that previous to such Investigation the Registrar shall give not less than Twenty-one Days Notice in Writing, to be sent by Post to the Trustees, Secretary, or other Officer of such Society, at the Place where such Society holds its Meetings.

Sect 13. of 18 & 19 Vict. c. 63., not necessary to state in Agreement intended Division of Funds, but may refer the same to the Award of the Registrar.

II. Every Award so made as aforesaid by the Registrar shall be final and conclusive on all Members and other Persons having any Claim on the Funds of the said Society, without Appeal, and shall be enforced in the same Manner as by Section Forty-one of the said Act is provided for enforcing the Award of Arbitrators; and the Expenses of such Award, and of publishing the Notice of Dissolution in the Gazette, shall be paid out of the Funds of the Society before any Appropriation thereof shall be made.

Registrar's Award to be conclusive without Appeal.

III. When any Agreement for the Dissolution of a Society authorized by Section Thirteen of the said Act shall be transmitted to the Registrar; and when any Award authorized to be made by this Act shall be made by the Registrar, Notice thereof shall, within Twenty-one Days after the same shall have been so transmitted or made respectively, be advertised by the Registrar, as respects Societies in *England* in the *London Gazette*, as respects Societies in *Scotland* in the *Edinburgh Gazette*, and as respects Societies in *Ireland* in the *Dublin Gazette*; and unless within Three Calendar Months from the Date of the Gazette in which such Advertisement shall appear, a Member or other Person interested in or having any Claim on the Funds of the Society shall commence Proceedings to set aside the Dissolution of the Society consequent upon such Agreement or Award, the Society shall be considered for all Intents and Purposes, and in all Courts of Law and Equity, as legally dissolved, and the requisite Consents to such Agreement, or, as the Case may be, to the Application to the Registrar, to have been duly obtained, without Proof of the Signatures thereto.

Evidence of Dissolution.

IV. The Registrar in his next annual Report submitted to Parliament shall set forth the Particulars of every Award made under the Provisions of this Act which he may have made during the preceding Twelve Months.

Registrar's annual Report to contain Particulars of Awards.

V. In regard to Societies which have been dissolved before the passing of this Act, if Notice of any Agreement for the Dissolution of such Society, already transmitted to the Registrar, or of any Award made under Section Thirteen of the said Act, shall within Three Months after the passing of this Act be advertised in such Gazette as aforesaid, the Provisions of Section Three of this Act shall apply in the same Way as if such Agreement and Award had been transmitted and made subsequent to the passing of this Act.

Provisions as to Societies dissolved before passing of this Act.

VI. The Eighth Section of the Act passed in the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and one, is hereby repealed; but where, previously to the passing of this Act, any Application has been made to the Registrar respecting the Dissolution of a Society under the said Section, such Society shall be dissolved in the same Manner and with the same Incidents as if this Act were not passed, and for the Purposes of such Dissolution the said Section shall be deemed to remain in full Force.

Sect. 8. of 21 & 22 Vict. c. 101. repealed.

VII. If Default shall be made in transmitting to the Registrar before the First Day of *June* in each Year the general Statement or Copy of the last annual Report of any Society, in compliance with the Provisions of Section Forty-five of the Act of the Session of the Eighteenth and Nineteenth of *Victoria*, Chapter Sixty-three, the Officer making such Default

Penalty for not making annual Return in compliance with Sect. 6. of 9 & 10 Vict. c. 27.

Default shall be liable to a Penalty not exceeding Twenty Shillings, to be recovered, with Costs, at the Suit of the Registrar, before Two or more Justices, as to *England* in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders*, and as to *Scotland* before Two or more Justices or the Sheriff of the County, in manner directed by the Act passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter One hundred and four, intituled *An Act to amend or consolidate the Acts relating to Merchant Shipping*, as regards Offences in *Scotland* against that Act, not being Offences by that Act described as Felonies or Misdemeanors, and as to *Ireland* in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Ninety-three, intituled *An Act to consolidate and amend the Acts regulating the Proceedings of Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, or any Act passed for the Amendment of the above-mentioned Acts; and the Justices or Sheriff imposing any Penalty under this Act may direct the whole or any Part thereof to be applied in or towards Payment of the Costs of the Proceedings; and subject to such Direction all Penalties shall be paid into the Receipt of Her Majesty's Exchequer, in such Manner as the Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

If Accounts not made to Commissioners, pursuant to Sect. 34 of 18 & 19 Vict. c. 63., Interest thereon to cease, &c.

VIII. If the Accounts and Returns required from certain Friendly Societies by the Commissioners for the Reduction of the National Debt, pursuant to Section Thirty-four of the said Act, be not made within Thirty Days after the same have been required, the Account of the said Society shall be closed by the said Commissioners, and thenceforth no Interest shall be credited to such Society thereon, until such Accounts and Returns shall be furnished to the said Commissioners, or the Money be withdrawn.

Application by Registrar.

IX. Any Application authorized by Section Twenty-four of the said recited Act to be made by any Person on behalf of a Society, may be made by the Registrar.

This and Friendly Societies Acts to be construed as One.

X. This Act and the Friendly Societies Acts, 1855 and 1858, shall be construed as One Act, and may be cited together for all Purposes as the Friendly Societies Acts.

CAP. LIX.

An Act to extend the Provisions of the Universities and College Estates Act (1858), and of the Copyhold Acts, and of the Act of the Third and Fourth Years of the Reign of Her Majesty, Chapter One hundred and thirteen, and of the Seventeenth and Eighteenth Years of the same Reign, Chapter Eighty-four, so far as the same relate to Universities and Colleges.

[6th *August* 1860.]

21 & 22 Vict. c. 44.

'WHEREAS it is expedient that the Provisions of "The Universities and College Estates Act, 1858," should be extended, and that Power should be given to Universities and Colleges, with the Consent hereafter required, to raise Monies by Mortgage under proper Restrictions to provide Compensation for the Loss of Fines on Non-renewal of Leases:' Be it enacted by the Queen'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, as follows:

Power to raise Monies by Mortgage by way of Com-

I. Whenever any Lease of any Lands belonging to the Universities of *Oxford*, *Cambridge*, or *Durham* respectively, or any College therein respectively, or the Colleges of *St. Mary* of *Winchester* near *Winchester*, or of King *Henry* the Sixth at *Eton*, the Leases of which have been