



ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

C A P. CX.

An Act to amend the Laws relating to Loan Societies. [11th August 1840.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act for the Establishment of Loan Societies in England and Wales;* 5 & 6 W. 4. c. 23. and to extend the Provisions of the *Friendly Societies Acts to the Islands of Guernsey, Jersey, and Man*: And whereas it is expedient to repeal so much of the said Act as relates to the Establishment of Loan Societies in *England and Wales*, and to make other Provisions instead thereof: 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same, That so much of the said Act as relates to the Establishment of Loan Societies in *England and Wales* shall be repealed, except as is herein-after provided: Provided always, that the Provisions of the said Act, and all Rules heretofore certified by the Barrister appointed to certify the Rules of Savings Banks, and enrolled for the Management of Societies established under the said Act, shall continue and be in force and applicable for the Recovery of all Sums of Money which have been lent by any such Society before the passing of this Act, and may be due and owing or become due in respect of any Loan made

Repeal of 5 & 6 W. 4. c. 23. except as is herein-after provided.

Provisions to be in force for Recovery of all Sums lent previous to passing of this Act.

by any such Society previous to the passing of this Act, according to the Rules of such Society, except where the same shall be contrary to the Provisions in this Act contained; and all such Rules shall be judicially taken notice of and enforced by all Justices in any Proceedings to be had or taken by the Treasurer or Clerk of such Society for the Recovery of any Loan or Loans, or any Sum of Money on account thereof.

Society not liable to Penalties for Loans made before passing of Act.

II. And be it enacted, That no Society certified and enrolled under the said Act, or Treasurer, Trustee, Clerk, Servant, or Member thereof, shall be liable to any Penalty or Forfeiture imposed by any Act or Acts relating to Usury on account of having reserved or contracted for more than the legal Rate of Interest, either in the Way of Interest, or other Charges or Expences, in respect of any Loan made by such Society before the passing of this Act.

Formation of Loan Societies under Restrictions in this Act.

III. And be it enacted, That if any Number of Persons who have formed or shall form any Society in *England* for establishing a Fund for making Loans to the industrious Classes, and taking Payment of the same by Instalments, with Interest thereon, shall be desirous of having the Benefit of this Act, such Persons shall cause the Rules framed or to be framed for the Management of such Society to be certified, deposited, and enrolled in manner herein-after directed, and thereupon shall have the Benefit of the Provisions contained in this Act.

Three Transcripts of Rules to be submitted to a Barrister, &c.

IV. And be it enacted, That Three Transcripts fairly written or printed, or partly written and partly printed, on Paper or Parchment, of all Rules made in pursuance of this Act, signed by Three Members, and countersigned by the Clerk or Secretary, (accompanied, in the Case of any Amendment of the Rules, with an Affidavit of the Clerk or Secretary, or one of the Officers of the said Society, that the Provisions of this Act have been duly complied with,) with all convenient Speed after the same shall be made or amended, and so from Time to Time after every making or amending thereof, shall be submitted to the Barrister at Law for the Time being appointed to certify the Rules of Savings Banks, for the Purpose of ascertaining whether the said Rules of such Society, or Amendment thereof, are calculated to carry into effect the Intention of the Parties framing such Rules or Amendments, and are in conformity to Law; and that the said Barrister shall advise with the said Clerk or Secretary, if required, and shall give a Certificate on each of the said Transcripts, that the same are in conformity to Law, or point out in what Part or Parts the said Rules are repugnant thereto; and that the Barrister for advising as aforesaid, and perusing the Rules or Amendments of the Rules of each Society, and giving such Certificates as aforesaid, shall demand no further Fee than the Sum of One Guinea; and One of such Transcripts, when certified by the said Barrister, shall be kept by the said Barrister, and another returned to the Society, and the Third of such Transcripts shall be transmitted by such Barrister to the Clerk of the Peace for the County, City, or Borough wherein such Society shall be formed, and by him laid before the Court of General Quarter Sessions, or Adjournment thereof, held next after the Time when such

Barrister, &c. to certify the Transcripts.

Fee payable to Barrister.

One Transcript to be kept by the Barrister, another returned to the Society, and the Third sent to the Clerk of Peace.

such Transcript shall have been so certified and transmitted to him as aforesaid; and the said Court is hereby authorized and required, without Motion, to allow and confirm the same; and such Transcript shall be filed by such Clerk of the Peace with the Rolls of the Sessions of the Peace in his Custody, without Fee or Reward; and that all Rules and Amendments thereof, from the Time when the same shall be certified by the said Barrister, shall be binding on the several Members and Officers of the said Society, and the Borrowers and Sureties, and all other Persons having Interest therein.

Justices to confirm Rules.

Rules, &c. to be binding when certified by Barrister.

V. And be it enacted, That no Rule, certified in manner aforesaid, shall be altered, rescinded, or repealed unless at a General Meeting of the Members of such Society, convened by Notice, written or printed, signed by the Secretary or President or other principal Officer or Clerk of such Society, in pursuance of the enrolled Rules, or of a Requisition for that Purpose signed by Three or more of the Members of such Society, such Notice to be forwarded by Post or otherwise to every Member of the Society Seven clear Days at least before the Day appointed for such Meeting; and such Alterations or Repeal shall and may be made with the Concurrence of the Majority of the Members of such Society then and there present.

No confirmed Rule to be altered but at a General Meeting of the Society, &c.

VI. And be it enacted, That the said Barrister shall be entitled to no further Fee for or in respect of any Amendment of any Rules enrolled under this Act, or which have been before the passing of this Act enrolled under the said Act of the Fifth Year of His late Majesty, upon which One Fee has been already paid to the said Barrister within the Period of Three Years.

Limitation of Fee payable to Barrister.

VII. And be it enacted, That all Rules from Time to Time made and in force for the Management of any such Loan Society, and duly certified and enrolled, shall be entered in a Book or Books to be kept by an Officer of such Society to be appointed for that Purpose, which Book or Books shall be open at all seasonable Times for the Inspection of all Members of such Society, and of the Persons receiving Loans from such Society, and shall be binding on the several Members and Officers of such Society, and the several Persons receiving Loans from the same, and their Representatives, as well as those Parties who may become the Sureties for the Repayment of any Loan, their Executors or Administrators; and all such Persons and Parties shall be deemed to have full Notice of the enrolled Rules of the Society by the Deposit thereof with the Clerk of the Peace or Town Clerk, as required by this Act, and by the Entry thereof in such Book or Books; and the Entry of such Rules in such Book or Books as aforesaid, or the Transcript thereof, deposited with the Clerk of the Peace or Town Clerk, or a true Copy of such Transcript examined with the Original, and proved to be a true Copy, or the Copy certified by the Barrister at Law appointed for that Purpose, shall be received as Evidence of such Rules respectively in all Cases, and no Certiorari shall be brought or allowed to remove any such Rules into any of Her Majesty's Courts of Record; and every Copy of any such Transcript deposited with any Clerk of the Peace or Town Clerk as aforesaid shall be made without

Rules to be entered in a Book to be kept by the Officer of the Society.

without Fee or Reward, except the actual Expence of making such Copy; and such Copy shall not be subject to any Stamp Duty.

Property of
Society
vested in the
Trustees
thereof.

VIII. And be it enacted, That all Monies and Securities for Money, and all Chattels whatsoever, belonging to any such Society, shall be vested in a Trustee or Trustees for the Use and Benefit of such Society and the Members thereof, their Executors and Administrators respectively, according to their several Shares and Interests therein, and after the Death, Resignation, or Removal of any Trustee or Trustees shall vest in the surviving or succeeding Trustee or Trustees for the same Estate and Interest as the former Trustee or Trustees had therein, and subject to the same Trusts, without any Assignment or Conveyance whatever, and also shall for all Purposes of Suit, as well Criminal as Civil, at Law or in Equity, in anywise concerning the same, be deemed to be the Property of the Person or Persons appointed to the Office of Trustee or Trustees of such Society for the Time being, in his or their proper Name or Names without further Description; and such Person or Persons are hereby respectively authorized to bring or defend, or cause to be brought or defended, any Suit, Criminal as well as Civil, at Law or in Equity, concerning the Property or any Claim of such Society, and to sue and be sued, plead and be impleaded, in his or their proper Name or Names, as Trustee or Trustees of such Society, without any other Description; and no Suit shall abate or be discontinued by the Death of such Person or Persons, or his or their Removal from the Office of Trustee or Trustees as aforesaid, but the same shall and may be proceeded in and by or against the succeeding Trustee or Trustees; and such succeeding Trustee or Trustees shall pay or receive like Costs for the Benefit of or to be reimbursed from the Funds of such Society as if the Suit had been commenced in his or their Name or Names.

Societies to
issue Debentures.

IX. And be it enacted, That for every Sum of Money deposited or to be deposited with any Loan Society, otherwise than by way of Gift, it shall be lawful for such Society, if they shall think fit, to issue a Debenture, to be registered in the Books of the Loan Society by whom such Debenture shall be payable; and no such Debenture shall be liable to any Stamp Duty or Parliamentary Imposition whatever.

Trustees
signing De-
bentures not
personally
liable unless
specially
undertaken.

X. And be it enacted, That no Treasurer, Trustee, or other Officer of any Loan Society subscribing a Debenture shall be individually responsible, in Person or Property, for the Payment of the same, or of any Interest thereon; but such Debenture shall be a Charge on the Capital and Property of the Society alone, unless such Treasurer, Trustee, or other Officer shall, in the Instrument or by Writing at the Foot or on the Back thereof, declare his or their Willingness to be so liable in Person or Property; and such Understanding shall only apply to the specific Sums so guaranteed.

Sums under
50*l.* depo-
sited in any
Loan Fund

XI. And be it enacted, That in case any Debenture Holder, Depositor, or other Claimant, entitled to receive any Sum not exceeding Fifty Pounds out of the Funds of any such Loan Society, shall die,

die, it shall be lawful for the Trustees or Trustee thereof, from and after the Expiration of Three Calendar Months after the Death of such Debenture Holder, Depositor, or other Claimant, if they shall be satisfied that no Will was made and left by such deceased Person, and that no Letters of Administration of the Goods, Chattels, Rights, and Credits of such deceased Person have or will be taken out, to pay the same to any Person who shall appear to the said Trustees or Trustee to be the Person or one of the Persons entitled under the Statute of Distribution to the Effects of the deceased Intestate, although no Letters of Administration shall have been taken out; and the Payment of any such Sum of Money shall be valid and effectual with respect to any Demand of any other Person as next of Kin of such deceased Intestate, or as the lawful Representative of such Person, against the Funds of such Society, or against the Trustee, Treasurer, or Officers thereof; but nevertheless such next of Kin or Representatives shall have Remedy for such Money so paid as aforesaid against the Person who shall have received the same.

Society payable without Probate to the Representative of any deceased Debenture Holder.

XII. And be it enacted, That every Treasurer or other Person whatsoever who shall be intrusted with the Receipt or Custody of any Money or Securities for Money, the Property of such Society, shall become bound with Sureties for the faithful Execution of such Office or Trust, in such Sum or Sums of Money as shall be required by the Rules of such Society; and such Security shall be given by Bond, in the Form in the Schedule to this Act annexed marked (D.), to the Trustee or Trustees of the Society for the Time being; and in case of Forfeiture it shall be lawful for the Trustee or Trustees of such Society for the Time being to sue upon such Bond or Bonds, and to carry on such Suit, at the Costs and Charges of and for the Use of the said Society; and no Bond or Security so to be given shall be chargeable with any Stamp Duty whatsoever.

Treasurer, &c. to give Security.

XIII. And be it enacted, That it shall not be lawful for any such Society to lend to any Person at the same Time a greater Sum than Fifteen Pounds, and that no second or other Loan shall be made to the same Person until the former Loan shall have been repaid.

Amount of Loan.

XIV. And be it enacted, That no Note which shall be signed for the Repayment of any Loan made under this Act, nor any Receipt or Entry in any Book of Receipt for Money lent or paid, nor any Draft or Order, nor any Appointment of any Agent, nor any other Instrument whatever required to be made in pursuance of this Act, or of the Rules of the Society, shall be chargeable with any Stamp Duty whatever.

No Note or Security liable to Stamp Duty.

XV. And be it enacted, That no Note of Hand, Bill, or other Security for the Payment of Money taken by any such Society shall be transferrable by Endorsement or otherwise to any Person or Party whomsoever, nor shall any such Note, Bill, or other Security be sued upon by any Person or Party other than the Society to whom the same shall have been made.

Securities not transferrable.

Recovery of
Loans.

XVI. And be it enacted, That all Notes signed for the Repayment of such Loans shall be made payable to the Treasurer for the Time being of the Society, and may be in the Form given in the Schedule to this Act annexed marked (A.), or to the like Effect; and that it shall be lawful for any such Society to add to or embody in such Note the Statement of any Allegations made by the Parties to such Note respecting their Goods or Property, and all such Allegations made under the Hand of any such Party may be given in Evidence against him on any Proceeding under this Act; and if the Party liable to pay the same shall fail to make full Payment in Money of the Sum in the Note mentioned, or any Part thereof, after Demand in Writing made on such Party, or left or sent by the Post, directed to him at his usual Place of Abode, or at his Place of Residence, as described in the said Note, by or on behalf of the Treasurer for the Time being of the said Society, any One of Her Majesty's Justices of the Peace for the County, Riding, City, Borough, Division, District, or Place where the Person so neglecting to discharge any such Note as aforesaid may happen to be or reside, upon Complaint made by or on behalf of such Treasurer, shall summon the Person against whom such Complaint shall be made, and after his Appearance, or in default thereof, upon due Proof upon Oath of such Summons having been given, left, or sent as aforesaid, shall thereupon proceed to hear and determine the said Complaint, and award such Sum to be paid by the Person thereunto liable to such Treasurer as aforesaid as shall appear to such Justice to be due thereon, without any Rebate of Interest, together with such a Sum for Costs, not exceeding the Sum of Five Shillings, as to such Justice shall seem reasonable; and it shall be lawful for any such Society, if they shall think fit, to direct that the Sureties for Payment of any Loan, or any One or more of them, shall be sued for Recovery of any Loan or Instalment thereof in preference to the actual Borrower; and if any Person shall refuse or neglect to pay the Sum of Money which shall be so adjudged to be due upon such Note and Costs as aforesaid, upon the same being demanded in manner aforesaid, such Justice shall, by Warrant under his Hand and Seal, cause the same to be levied by Distress and Sale of the Goods of the Party so neglecting or refusing as aforesaid, together with all Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner; and no such Proceedings shall be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record: Provided always, that nothing herein contained shall be construed to affect the Right of the Landlord to be paid the Amount of Rent which may be due to him at the Time of making the Distress out of the Proceeds of the said Sale.

Recovery of
Loans in
Courts of
Request.

XVII. And be it declared and enacted, That, notwithstanding the Provisions herein-before contained, the Treasurer or Clerk of such Society for the Time being may proceed for the Recovery of the Sum due on such Note against the Party or Parties liable to pay the same, in any County Court, or Court of Conscience or Request, having Jurisdiction to the Amount so due, according to the Course and Practice of such Courts; and in such Case the Act or Acts, and all Provisions therein relating to such Court, and the Powers thereof,

thereof, shall be applicable to the Recovery of the Sum so due on such Note.

XVIII. And be it enacted, That in case the whole Sum that shall appear to be due on any such Note shall exceed the Amount for which such Court shall have Jurisdiction, and such Treasurer or Clerk shall declare to the Court that he is willing to accept such Sum of Money as the said Court shall be enabled to adjudge and order to be paid, in full of the whole of such Amount so due as aforesaid, then, in every such Case, the Court shall adjudge such Sum or Sums to be paid by the Defendants or Defendant, not exceeding the Amount for which such Court shall have Jurisdiction, as to the Court shall seem just; and such Treasurer or Clerk shall be precluded from afterwards proceeding in any other Court, or before any Justice, for or on account of such Debt.

Power for Societies to reduce Demand to enable Courts of Request to adjudicate. provided they accept the same in full.

XIX. And be it enacted, That it shall be lawful for the Treasurer or Clerk for the Time being of any Loan Society, whose Rules shall have been duly certified as aforesaid, to sue for and recover, for the Use of such Society, the Amount of any Note or other Security which shall have been passed or made payable to the Treasurer for the Time being of such Society, whether or not any Change or Changes shall have taken place in the Person by whom the said Office of Treasurer or Clerk may be filled.

Treasurer of any Loan Society to sue for Securities granted to his Predecessor.

XX. And be it enacted, That it shall be lawful for the Trustees or Trustee of any Society established under the Provisions of this Act to demand and receive from any Person applying for a Loan, at the Time of giving out the Form of Application, such Sum as shall be specified in the enrolled Rules, not exceeding One Shilling and Sixpence, for the Form of Application, and the Expence of making Inquiries into the Character and Solvency of the Applicant, and his proposed Sureties, which Sum the Society shall not be bound to return, although no Loan shall be granted; provided that such Inquiry shall be made within Fourteen Days from the Time when the Application Paper shall have been returned to the Office of the Society, duly filled up, as required by the enrolled Rules.

Sum to be demanded for Inquiries.

XXI. And be it enacted, That it shall be lawful for the Trustees or Trustee of any Society established under the Provisions of this Act to demand and receive from every Person to whom a Loan shall be made, by way of Discount, at the Time of making the same, the full Amount which shall be specified by the enrolled Rules of the Society, not exceeding in the whole the Rate of Twelve Pounds by the Hundred, for the full Term of One Year, and to receive the Amount of the Principal Sum by Instalments, at such Time or Times, and in such Proportion or Proportions, as shall be specified by the enrolled Rules, but so nevertheless that the first Repayment shall not be paid sooner than the Eleventh Day after the Day on which the Loan shall have been actually granted and advanced, and that the Time and Manner of paying such Instalments shall be taken into account in the Calculation of the Interest to be paid, and to take a Note of Hand for the whole Amount of the Loan, by which the

Sum for Interest.

the same or so much thereof as shall then remain unpaid shall be recoverable immediately on failure of the Payment of any Instalment, without being liable on account thereof to any of the Forfeitures or Penalties imposed by any Act or Acts relating to Usury.

New Schemes must be certified by Actuary of National Debt Office.

XXII. And be it declared and enacted, That the Instalments to be paid, and the corresponding Sum charged for Interest, may be such as is expressed in any One of the Schemes mentioned in the Schedule (E.) to this Act annexed, and that the Scheme which is adopted by any Society, and the actual Number of Shillings and Pence taken by way of Interest for every Loan, shall be fully and clearly set forth in the enrolled Rules of such Society; and that if such Scheme shall in any respect differ from every one of the Schemes set forth in the said Schedule (E.), it shall not be lawful for the said Barrister to certify the Rules of such Society, until a Certificate shall have been obtained, under the Hand of the Actuary to the National Debt Office, to the Effect that the Rate of Interest proposed to be taken, including therein all Charges whatsoever, except the aforesaid Sum of One Shilling and Sixpence, or so much thereof as shall be charged for the Form of Application and Expence of Inquiry, is not greater than is allowed by this Act; for which Certificate the said Actuary shall be entitled to have a Fee of One Guinea, and no more.

Sums herein stated to be in full of all Charges.

XXIII. And be it declared and enacted, That the said Sum of One Shilling and Sixpence, or so much thereof as shall be charged under this Head by each Society, and the Sum so to be taken by way of Interest, shall be in full of all Charges and Demands to be made by the said Society for making Inquiry, and for executing the Note, and for the Purchase of the Borrower's Pass Book and Copy of the Rules, and all other Books, Papers, or Things which he is required by the Society to have, and for all Business whatsoever connected with the granting of the said Loan; and that it shall not be lawful by the Rules of any such Society to impose any Fine or Penalty for any Irregularity in making Payment of the Instalments of the Loan, except by requiring the Balance of the Loan then remaining due and unpaid, or any Part thereof, to be paid either forthwith, or within such Time as shall be allowed by the Rules of the Society; and that any Clerk, Officer, Agent, or Servant of the Society who by any Device, directly or indirectly, shall knowingly obtain from the Borrower, or any Surety, Payment of any further or other Sum than is allowed by the Provisions of this Act, by way of Charge, Contribution, Liquor Ticket, or for making any Inquiry, giving any Notice, writing or sending any Letter, or otherwise howsoever, either for his own Benefit or for the Benefit of the Society, or any other Person or Party whatsoever, in consideration of the granting of such Loan, shall be liable to the Penalties of Usury; and it shall be expressed in the enrolled Rules of every such Society that an Entry must be made in the Borrower's Pass Book of every Payment made to the Society by any such Borrower, including the Payment made for Inquiries, and Entries shall be made therein accordingly.

Clerks, &c. overcharging liable to Penalties of Usury.

Instalments not to be paid in ad-

XXIV. And be it enacted, That it shall not be lawful for any such Society to receive from any Borrower any Sum by way of Instalment
or

or otherwise, (except the said Sum of One Shilling and Sixpence, or so much thereof as shall be taken for the Form of Application and Expences of Inquiry,) before the Day when the Loan shall be actually advanced and paid to such Borrower; nor shall it be lawful for any such Society to cause the Applicants for Loans to ballot for Precedence, or in any way to make the granting of any such Loan to depend upon any Chance, Lot, or other gambling Device whatsoever; and every Society which shall offend against this Enactment shall forfeit all the Benefit of the Provisions of this Act.

vance, nor Loans to be ballotted for.

Penalty.

XXV. And be it enacted, That on the Trial of any Suit or other Proceeding respecting the Property of any Society established under the Authority of this Act, or in any Proceedings before any Justice of the Peace, or in any Court, any Trustee, Treasurer, Manager, Shareholder, Officer, Clerk, or Servant of such Society shall be a competent Witness, notwithstanding any Interest he may have in the Result of such Suit or other Proceeding.

Members to be competent Witnesses.

XXVI. And be it enacted, That the several Forms which are set forth in the Schedules annexed to this Act marked respectively (B.) and (C.) may be used, with such Additions or Variations as may be necessary to adapt them to the particular Circumstances of each Case, and that no Objection shall be made or Advantage taken for Want of Form in any such Proceedings by any Person whomsoever.

Forms stated in Schedule may be used.

XXVII. And be it enacted, That the Trustees of every Society established under the Provisions of this Act, or which may become entitled to the Benefits thereof, shall cause an Abstract of the Accounts of such Society for each Year to be made out, and up to the Thirty-first Day of *December*, together with a Statement of the Funds and Effects and of the Debts or Liabilities of such Society, and an Estimate of the clear net Profit or Loss up to that Period, which Abstract, Statement, and Estimate shall be in such Forms, and shall contain such Particulars connected with the Accounts and Transactions of such Society, as the Barrister appointed to certify the Rules of Saving Banks shall from Time to Time direct; and a Copy of such Abstract, Statement, and Estimate, duly certified to be correct by the Secretary, Treasurer, and at least One Trustee, shall, during the Month of *January* in each Year, be delivered or sent to the said Barrister, and shall be laid by him before both Houses of Parliament; and every Society which shall refuse or neglect to deliver such Account as aforesaid shall be liable to a Penalty of Fifty Pounds, to be recovered, at the Suit of the said Barrister, against the Trustees of the Society, in any of Her Majesty's Superior Courts of Record: Provided always, that the Trustees shall not be liable, in their Persons or Goods, to the Consequences of any Judgment obtained against them in any such Suit, but the same shall avail and be enforced only against the Stock and Goods of the Society in their Hands or within their Control.

Abstract of Accounts to be made out yearly, and sent to the Barrister.

Copy thereof to be laid before Parliament.

Trustees not personally liable.

XXVIII. And be it enacted, That this Act shall extend to *England, Wales, Berwick-upon-Tweed*, and the Islands of *Guernsey, Jersey, and Isle of Man*.

Extent of Act.

Interpreta-
tion Clause.

XXIX. And be it enacted, That in the Construction of this Act the Word "Writing" shall be construed to mean and include Printing or Engraving; and whenever in this Act, in describing any Person or Thing, the Word importing the Singular Number or the Masculine Gender only is used, the same shall be understood to include also several Persons or Things, and Females as well as Males; unless there be something in the Subject or Context repugnant to such Construction.

Duration of
Act.

XXX. And be it enacted, That this Act shall continue in force until the Thirty-first Day of *December* One thousand eight hundred and forty-one.

Act may be
amended this
Session.

XXXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULE to which this Act relates.

(A.)

FORM of NOTE to be given by BORROWER and SURETY or SURETIES.

No. _____ Day of _____ 18 .

The [*Name of Society*] Loan Society, established pursuant to [*here insert the Date of this Session and Chapter of this Act*].

We jointly and severally promise to pay to the Treasurer for the Time being of the [*Name of the Society*] Society at the Office of the said Society in _____ the Sum of _____ being the Amount of a Loan granted by the said Society to the undersigned by weekly Instalments of _____ each; the first Instalment to be payable on the _____ Day of _____ and, on any Default in the punctual Repayment of the Instalments, or other Breach of the Conditions on which the Loan was granted as set forth in the enrolled Rules, we jointly and severally promise to pay, on Demand, to the Treasurer aforesaid, at the Office aforesaid, so much of the Loan as shall not then have been repaid.

£ _____
 D. E. }
 F. G. } Places of Residence
 H. I. } and Occupation.

(B.)

to wit. } WHEREAS Complaint has this Day been made before me, one
of } of Her Majesty's Justices of the Peace acting for the County
of } [*or*] one of the Magistrates of
the Police Courts of the Metropolis sitting at the Police Court at
_____ within the Metropolitan District, *or as the Case may*
be], by _____ on behalf of the [*Name of the Society*] Society
enrolled pursuant to the Act intituled [*here insert the Title of this*
Act], that you have failed to make Payment of a certain Instalment
[*or certain Instalments*] amounting to _____ being Part
of a Loan of _____ Pounds, secured by a certain Note entered
into by you, and _____ to the Treasurer for the Time
being of the said Society, dated the _____ Day of _____
One thousand eight hundred and _____. These are there-
fore in Her Majesty's Name to require you personally to appear at
_____ before me [*or such other Justice acting for the County*
of _____

of _____ or such other Magistrate of the Police Courts
 aforesaid, as shall be then and there sitting on the _____ Day
 of _____, *or as the Case may be,*] at _____ of the Clock,
 then and there to answer the said Complaint.

Given under my Hand and Seal this _____ Day of
 _____ in the Year of our Lord One thousand eight
 hundred and _____

(C.)

To all Constables and others, Her Majesty's Officers of the
 to wit- } Peace for the County of _____ and all others
 whom it may concern.

WHEREAS on the _____ Day of _____ in the
 Year of our Lord One thousand eight hundred and _____,
 _____ late of the Parish of _____ in the County of _____,
 was and is duly convicted before me _____ one of Her
 Majesty's Justices of the Peace acting in and for the County, [*or*
 one of the Police Magistrates of the Metropolis sitting at the Police
 Court in _____ within the Metropolitan District, *or as the*
Case may be,] upon the Oath of _____ [*or as the Case*
may be,] to a certain Loan Society called _____ held at
 in the County of _____ enrolled under and by virtue of a
 certain Act of Parliament, intituled [*here insert the Title of this Act*];
 for that on the _____ Day of _____ in the Year
 of our Lord One thousand eight hundred and _____ at the
 Parish of _____ in the County of _____ the
 said _____ being the Party liable to pay the Money herein-
 after mentioned, did fail to make full Payment in Money to
 the Treasurer of the said Society, of the Sum of
 Pounds _____ Shillings and _____ pence, being Part of
 the Sum of _____ Pounds lent and advanced to
 and secured by Note bearing Date the _____ Day of
 _____ One thousand eight hundred and _____ entered
 into by the said _____ to the said Treasurer of the said Society,
 Demand having been duly made on the said _____ for the said
 Sum of _____ Pounds _____ Shillings and _____
 pence previous to the said _____ Day of _____ on behalf
 of the said Treasurer of the said Society, contrary to the said Statute;
 and the said _____ having been duly summoned before me the
 said Justice [*or* Magistrate at the Police Court aforesaid], on the
 said _____ Day of _____ to answer the said Complaint,
 and having [*or not, as the Case may be,*] appeared before me in pur-
 suance of such Summons, on the said _____ Day of _____
 at _____ [*or at the Police Court aforesaid*], I the said Justice
 [*or* Magistrate] did proceed to hear and determine the said Com-
 plaint, and did adjudge and award the said _____ to pay the
 Sum of _____ Pounds _____ Shillings and _____
 pence to the said Treasurer, and which appeared to me to be due on
 the said Note, and also the Sum of _____ Shillings and _____
 pence,

Pence, for the Costs of the said Summons, Complaint, and Hearing thereof, and making together the Sum of : And whereas it appears to me the said Justice [*or Magistrate*] that the said Sum of Pounds Shillings and pence have been duly demanded of the said and that he hath neglected to pay and satisfy the same: These are therefore to command you to levy the said Sum of Pounds Shillings and pence by the Distress and Sale of the Goods and Chattels of the said . And I do hereby order and direct the Goods and Chattels so to be distrained to be sold and disposed of within Four Days next after making such Distress, unless the said last-mentioned Sum of Money for which such Distress shall be made, and all the Costs and Charges attending such Distress, shall be sooner paid, rendering the Overplus, if any, on Demand, to the said . And you are hereby commanded to certify to me the said Justice [*or Magistrate*] what you shall do by virtue of this Warrant.

Given under my Hand and Seal at this
Day of in the Year of our Lord One th usand
eight hundred and

(D.)

FORM OF BOND.

KNOW all Men by these Presents, That we, *A. B.* of Treasurer [*as the Case may be*] of the Society, established at in the County of and *C. D.* of and *G. H.* of (as Sureties on behalf of the said *A. B.*), are jointly and severally held and firmly bound to *E. F.* and *G. H.*, Trustees of the Loan Society, in the Sum of to be paid to the said *E. F.* and *G. H.*, as such Trustees, or their Successors, Trustees of the said Loan Society for the Time being, or their certain Attorney; for which Payment, well and truly to be made, we jointly and severally bind ourselves, and each of us by himself, our and each of our Heirs, Executors, and Administrators, firmly by these Presents, sealed with our Seals. Dated the Day of in the Year of our Lord

WHEREAS the above-bounded *A. B.* hath been duly appointed Treasurer [*or as the Case may be*] of the Loan Society, established as aforesaid, and he, together with the above-bounded *C. D.* and *G. H.*, as his Sureties, have entered into the above-written Bond, subject to the Condition herein-after contained: Now therefore the Condition of the above-written Bond is such, that if the said *A. B.* shall and do justly and faithfully execute his Office of Treasurer [*or as the Case may be*] of the said Society established as aforesaid, and shall and do render a just and true Account of all
12 P Monies

Monies received and paid by him, and shall and do pay over all the Monies remaining in his Hands, and assign and transfer or deliver all Securities and Effects, Books, Papers, and Property of or belonging to the said Society, in his Hands or Custody, to such Person or Persons as the said Society shall appoint, according to the Rules of the said Society, together with the proper or legal Receipts or Vouchers for such Payments, and likewise shall and do in all respects well and truly and faithfully perform and fulfil his Office of Treasurer [*or as the Case may be*] to the said Society, according to the Rules thereof, then the above-written Bond shall be void and of no Effect, otherwise shall be and remain in full Force and Virtue.

(E.)

No. of Scheme.	Amount of Weekly Instalment.	Day on or after which the First Instalment is payable, reckoning the Day after the Loan as the First.	Sum which may be taken by way of Interest at the Time of advancing the Loan.
1.	Two Shillings per Five Pounds.	Eleventh - -	Six Shillings per Five Pounds.
2.	Sixpence per Pound -	Sixteenth - -	Twelve-pence per Pound.
3.	Eight-pence per Pound -	Twenty-first - -	Ten-pence per Pound.
4.	Four Shillings per Five Pounds.	Thirty-eighth - -	Four Shillings per Five Pounds.
5.	Ten-pence per Pound -	Twenty-first - -	Eight-pence per Pound.
6.	One Shilling per Pound -	Thirty-fifth - -	Eight-pence per Pound.
7.	Two Shillings per Pound -	Seventieth - -	Eight-pence per Pound.
8.	Two Shillings and Sixpence per Pound.	Seventy-seventh - -	Eight-pence per Pound.
9.	Four Shillings per Pound -	Sixty-second - -	Sixpence per Pound.
10.	Five Shillings per Pound -	Sixty-sixth - -	Sixpence per Pound.
11.	Ten Shillings per Pound -	Seventy-third - -	Sixpence per Pound.
12.	Twenty Shillings per Pound	Seventy-sixth - -	Sixpence per Pound.

In these Schemes all Instalments after the first are to be paid weekly.

Other Schemes may be formed from these by advancing or postponing the Day of Payment of the first Instalment, provided that the first Payment is not made sooner than the Eleventh Day, and that not more than One Penny per Pound is added to the Interest for every Thirteen Days of such Postponement, or that not less than One Penny per Pound is taken off the Interest for every Thirteen Days of such Advance.

Thus: Scheme 6. may be altered by making the first Instalment payable on the Twenty-second Day after the Loan, and taking Seven-pence per Pound for Interest, and so of the rest.