



ANNO TERTIO

# GULIELMI IV. REGIS.

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## *Cap. lxxiv.*

An Act for the better establishing and securing  
a Fund for providing Annuities to the Widows  
and Children of the Members of the Faculty of  
Procurators of *Glasgow*. [10th June 1833.]

**W**HEREAS His Majesty *George* the Third, by His Royal Charter or Letters Patent under the Great Seal of that Part of *Great Britain* called *Scotland*, dated the Sixth Day of *June* One thousand seven hundred and ninety-six, did erect and incorporate the Persons therein named, and such other Persons as should thereafter be duly admitted, and contribute to the Funds of the Society, into an Incorporation or Body Politic, by the Name and Style of "The Faculty of Procurators in *Glasgow*," and did invest the said Corporation with certain Powers for the Management and Regulation of their Affairs, particularly with Powers to make certain Exactions in Name of Entry Money and Contributions to the Funds of the said Corporation from Persons becoming Members thereof, and to apply the Money arising therefrom for the Purposes therein mentioned: And whereas towards attaining the Objects of the said Incorporation, and for the better and more convenient Distribution of the Funds thereof, the said Faculty of Procurators appropriated certain Sums of Money from the Funds of the Incorporation, at the Term of *Candlemas* One thousand eight hundred and twelve, together with certain Annual Contributions from the said Funds, and other Contributions from the then present Members and future Members of the said Faculty, for establishing a Fund or Scheme for providing

[*Local.*] 16 H Annuities



Annuities to the Widows then drawing Aid from the said general Funds, and to the Widows and Children of the Members of the said Faculty, Contributors to the said Fund, according to certain Regulations made and approved of by the said Faculty at the Time: And whereas several Alterations and Amendments in the said Scheme having been suggested, the Members of the said Faculty, at a General Meeting held on the Fifth Day of *February* One thousand eight hundred and twenty-seven, made certain amended Regulations for the better Management and Distribution of the said Fund: And whereas the said Fund, after Payment of the Annuities charged, and which became chargeable thereon, in Terms of the said Regulations, has greatly increased by the Contributions of the Members of the said Faculty, Contributors thereto, and the Payments made from the general Funds of the Corporation from Time to Time, agreeably to the said Regulations: And whereas the Establishment and Continuance of the said Fund has been found beneficial to the said Faculty, and to the Widows and Children who have drawn Annuities therefrom; and it is expedient, without Prejudice to what has been done pursuant to the said Charter, that the said Faculty should be enabled more effectually to manage the said Fund, and to extend the Usefulness thereof, by making Provision for more ample Annuities to the Widows and Children of the Members of the said Faculty who may be willing to contribute for that Purpose, and to adopt certain Regulations for the more sure Establishment and better Administration of the said Fund, and for the Continuance of the Benefits thereof; but which Objects cannot be carried into effect without the Authority of Parliament: May it therefore 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 and each of the Members of the Faculty of Procurators in *Glasgow* who are Members of or Contributors to said Fund, and all and every other Person or Persons who shall hereafter become Members of and Contributors to said Fund in manner after mentioned, shall be and are hereby declared to be Members of and Contributors to the Fund established under the Provisions of this Act, and shall be called "The Society of Contributors to the Widows Fund of the Faculty of Procurators in *Glasgow*."

Incorporation of the Faculty of Procurators.

Management to be vested in a Preses, Treasurer, and Five Directors.

II. And be it further enacted, That for the proper Administration of the Funds of said Society, and Management of the Affairs thereof, a Preses, and Treasurer, and Five Directors, who shall be Trustees as after mentioned, shall be elected annually by the Members thereof; that a General Meeting of the Members of the said Society, for the Purpose of electing those Office Bearers, shall take place, and shall be held on the First *Monday* of *February* annually, commencing on the First *Monday* of *February* next; that it shall be lawful to the Majority of the Members present at said Annual General Meetings to elect One Member of the Society to be Preses, another Member to be Treasurer, and Five Members to be Directors of said Society for the Year ensuing, and until the next ordinary Time of Election; that



that it shall be lawful for the Members assembled at the subsequent General Meetings on the First *Monday of February* yearly, to re-elect any Person or Persons to be Preses, Treasurer, or Directors, or to elect other Members of the Society to those Offices.

III. Provided always, and be it enacted, That it shall not be lawful to elect or re-elect any Member of the said Society to any of those Offices who at the Period of Election shall have been Six Months in arrear of any Contributions, Marriage Tax, or Penalty, or any Sum whatever due by him to the said Society.

IV. And be it further enacted, That the foresaid *Andrew Mitchell*, the present Preses, shall be Preses, the foresaid *Andrew Macgeorge*, the present Treasurer, shall be Treasurer, and the foresaid *Archibald Grahame*, *James Steven*, *John Park Fleming*, *Robert Muir*, and *Robert Knox*, the present Directors, shall be Directors all of said Society until the next General Meeting of the Members thereof which shall be held on the First *Monday of February* next.

The present Preses, Treasurer, and Directors to continue till Feb. 1834.

V. And be it further enacted, That any Vacancy in said Offices of Preses, Treasurer, or Directors which shall be caused by the Resignation, Incapacity, or Death of said Persons, or either of them, who are the present Preses, Treasurer, and Directors, or which shall be caused by the Refusal to accept, or by the Resignation, Incapacity, or Death of any Person or Persons who shall be at any Time hereafter elected to any of those Offices, may be filled up by the Members of said Society.

Vacancies among Office Bearers to be supplied by the Members.

VI. And be it further enacted, That any Four of the Preses, Treasurer, and Directors for the Time being shall form a Quorum, and shall be entitled to act.

Four Directors to be a Quorum.

VII. And be it further enacted, That the Preses and Directors for the Time shall not be liable, in the Management of the Affairs of said Society, for the Insolvency of Debtors, or for the Acts or Intromissions of the Treasurer, or of any Person or Persons who shall be employed under them, or for the Acts or Intromissions of each other, and that they shall out of the Funds of said Society be relieved of all Obligations which they shall enter into or incur, and shall receive Payment of all Charges and Outlay which they shall pay or make, or incur or be subjected to in the Management of the Affairs of said Society under this Act; and further, that the Preses, Treasurer, and Directors for the Time shall not, under any Obligation they may incur in those Capacities, be personally liable; but all said Obligation shall be prestable against the Society and Funds thereof.

Preses and Directors not to be personally liable.

VIII. And be it further enacted, That the Separation of certain Portions of the Funds of said Faculty of Procurators, and the Appropriation thereof, which was made by said Faculty to the Purposes of said Widows Fund under the foresaid Regulations, and that the Annual Contributions from the Faculty Fund, and the Payment by the Members of said Faculty individually to the said Widows Fund, shall

Funds to be vested in the Directors for the Behoof of the Society.



shall be and the same are hereby ratified and confirmed as lawful Appropriations and Payments; and the same and the whole Accumulations thereof, together with the whole other Sums of Money which stand vested in the Names of the Dean and Treasurer of said Faculty, (or in whatever other Name or Names the same may or shall stand vested) for behoof of the said Widows Fund established under the foresaid Regulations, and whether lent out or invested upon Heritable or Personal Bonds or Securities, with the whole Interest and Dividends due thereupon, and the Balance of Monies in the Hands of the Treasurer of the said Fund, and all Arrears of Entry Money, Annual Contributions or Rates, and Marriage Taxes, or other Contributions of whatever Description, with Interest and Penalties which have accrued thereon, and which may be due by Contributors to the said Fund at the Date of passing this Act, in Terms of the said Regulations made by the said Faculty as aforesaid, with the Interest to accrue thereon, as also the whole Entry Money, Annual Contributions or Rates, Marriage Taxes, and Penalties that shall become due and payable under the Provisions of this Act, with the whole Interest, Dividends, Profits, and Increase that may in any Manner of Way accrue thereon and thereto from Time to Time, shall, without the Necessity of any Conveyance or Assignment, vest and the same are hereby onerously vested in the said *Andrew Mitchell, Andrew Macgeorge, Archibald Grahame, James Steven, John Park Fleming, Robert Muir, and Robert Knox*, as Preses, Treasurer, and Directors foresaid, and their Successors in Office, for behoof of the said Society of Contributors; and the said *Andrew Mitchell, Andrew Macgeorge, Archibald Grahame, James Steven, John Park Fleming, Robert Muir, and Robert Knox*, and the Persons who may from Time to Time be chosen as their Successors in the said Offices of Preses, Treasurer, and Directors respectively, shall be Trustees in perpetual Succession for managing the said Fund, and executing the Purposes of this Act.

Objects of  
the Trust.

IX. And be it further enacted, That the Uses and Purposes of the said Society of Contributors, and of the Funds vested and to become vested in them or in the Trustees thereof for the Time, shall in the first place be the Payment of all the necessary Charges which shall have been incurred in procuring this Act, or in Proceedings preparatory thereto, and of all the necessary Charges which shall be incurred in the due Administration and Management of the Fund and Society hereby established; in the second place Provision and Payment of an Annuity to the Widows severally, or to the Children of deceased Members of said Faculty of Procurators in *Glasgow* who were Contributors to said Fund under the foresaid Regulations, and whose Interest therein had not been forfeited, and shall not have been forfeited at the Period of passing this Act, under and in Terms of said Regulations, but no further, and of all other lawful Demands upon said Fund which shall be then outstanding, due, and owing by the same; and in the last place for Provision and Payment of an Annuity to the Widows severally, and Children of deceased Members of the said Faculty, Contributors to the Fund and Society hereby established, and for Payment to the Widows and Children of the Members of said Faculty, who now are or may hereafter become entitled to the  
Benefit



Benefit of the Fund, under the Provisions of this Act, as herein-after specified; and it shall not be lawful to apply the said Fund to any other Use or Purpose whatsoever.

X. And be it further enacted, That it shall and may be lawful to the said Trustees and their Successors in Office to levy and recover from the Members of the said Faculty who became Contributors to the said Fund under the foresaid Regulations, and who shall not have incurred Forfeiture, or their Heirs, Executors, and Successors respectively, all Arrears of Entry Money, Annual Contributions, and Marriage Taxes, or other Contributions incurred under and in Terms of the said Regulations, and remaining due at the passing of this Act, and in Terms of said Regulations, together with Interest and Penalties, as imposed by the said Regulations bygone, and in Time to come, until paid; and that by all lawful Ways and Means.

Power to  
recover  
Arrears.

XI. And be it further enacted, That from and after the passing of this Act the foresaid Regulations made and enacted relative to the Fund as heretofore established shall cease and determine, and the same are accordingly hereby rescinded and annulled; and the said Fund, as hereby vested in the Preses, Treasurer, and Directors, as Trustees thereof, together with the Arrears foresaid which shall be recovered, as said is, and the whole Increase thereof, shall be administered under the Provisions of this Act.

Former  
Regulations  
cancelled.

XII. And be it further enacted, That each of the said present Members who shall not have redeemed the Annual Contributions payable by them in Terms of the Regulations made by the said Faculty as aforesaid shall be bound and obliged to make Payment to the Treasurer appointed under the Provisions of this Act of the Sum of One Pound Ten Shillings yearly, and that by equal Moieties of Fifteen Shillings at *Candlemas* and *Lammas* in each Year, beginning the first Half-yearly Payment at the first of those Terms which shall arrive after the Date of passing this Act, and so forth half-yearly thereafter, during the Life of the said Members respectively.

Annual Con-  
tributions of  
present  
Members.

XIII. And be it further enacted, That every Member of said Faculty of Procurators in *Glasgow* who was admitted as a Procurator into said Faculty on or before the Fifth Day of *February* One thousand eight hundred and twenty-seven, and whose Interest in the Fund which was established under the foresaid Regulations has been forfeited, or shall have been forfeited, at or prior to the passing of this Act, shall be entitled to have the Forfeiture rescinded, and to be restored and to become a Member of the Society hereby constituted, upon paying to the Treasurer of said Society, for behoof thereof, the Sum of One Pound Ten Shillings for each Year which shall have intervened between the Date at which the last half-yearly Contribution paid by such Persons severally to the foresaid Fund fell due, and was payable into the same, under the foresaid Regulations, until the Period at which the Act of Restoration shall take place, with Interest at the Rate of Five Pounds *per Centum*, calculated half-yearly as said Contribution would have fallen due had

Restoration  
of Persons  
forfeited,  
who became  
Members  
prior to  
Feb. 1827,  
and of those  
who became  
Members  
after that  
Date, and of  
those who  
have taken  
back their  
Entry  
Money and  
discharged  
the Fund.

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the Forfeiture not taken place, together with such Marriage Tax or Marriage Taxes as should in like Manner have fallen due, and Interest thereon, and Five Pounds of Penalty, with Interest thereon from the Date of Forfeiture; and further, that any Member of said Faculty of Procurators who has been admitted or shall have been admitted into said Faculty as a Procurator since said Fifth Day of *February* One thousand eight hundred and twenty-seven, and whose Interest in the Fund which was established under the foresaid Regulations has been forfeited or shall have been forfeited at and prior to the passing of this Act, shall also be entitled to have the said Forfeiture rescinded, and to be restored as and to become a Member of the Society hereby constituted, upon paying to the Treasurer of said Society, for behoof thereof, the Sum of One Pound Ten Shillings for each Year which shall have intervened between the Date at which the last half-yearly Contribution paid by such Persons severally to the foresaid Fund fell due and was payable into the same, under the foresaid Regulations, until the Period at which the Act of Restoration shall take place, with Interest thereon at the Rate and calculated as aforesaid, and Marriage Tax or Marriage Taxes which should have fallen due under said Regulations had said Forfeiture not taken place, and Interest thereof as aforesaid, without the Necessity of paying said Penalty; and further, that every Member of said Faculty of Procurators who has been admitted as a Procurator into said Faculty since said Fifth Day of *February* One thousand eight hundred and twenty-seven, and who has taken Repayment of the Proportion of his Entry Money which was set aside under said Regulations for the Fund established under the same, and who has renounced all Right to and Interest in said Fund, for himself and his Widow and Children, shall also be entitled to be restored as a Member of the Society hereby constituted, and to have his Act and Deed of Renunciation and Discharge cancelled, upon paying to the Treasurer of said Society, for behoof thereof, the Amount of the Proportion of Entry Money which under said Regulations fell to be appropriated to the Fund established under the same, and received back by him, with the Interest thereof, and One Pound Ten Shillings Sterling for each Year which shall have intervened between the Date of the Admission as a Procurator into said Faculty of said Persons severally, until the Period at which the Act of Restoration shall take place, with Interest thereon, at the Rate and calculated as aforesaid, and Marriage Tax or Marriage Taxes which should have fallen due under said Regulations had said Person or Persons severally not renounced and discharged the Fund and Interest thereof as aforesaid, without the Necessity of paying said Penalty: Provided always, that such Person or Persons shall make their Election to exercise and shall exercise severally the Right hereby created to be restored from the Effect of said Forfeitures and Discharges within Twelve Months of the Date of passing this Act; and provided further, that the Person or Persons severally who shall make said Election, and shall exercise said Right within said Period, shall at the Time be in good Health, and not under the Influence of any Infirmary or Disease having a Tendency to shorten Life.

Contribu-  
tions to be

XIV. And be it further enacted, That the Person or Persons who shall be restored as said is, and shall thereby become Members  
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of the Society of Contributors hereby constituted, shall be bound and obliged severally to pay to the Treasurer of said Society, for behoof thereof, One Pound Ten Shillings yearly, in equal Moieties at *Candlemas* and *Lammas*, beginning the first Half-yearly Payment at the first of those Terms which shall arrive after the Act of Restoration, during the Period of their natural Life, by said Person or Persons respectively, as is above provided for the present Members of said Society.

paid by the  
Persons re-  
stored.

XV. And be it further enacted, That it shall be lawful to the said Faculty of Procurators in *Glasgow* to receive and to admit as Members of said Faculty any Person or Persons who shall be found duly qualified in Terms of the foresaid Charter, (except as to serving a regular Apprenticeship by Indenture for Five Years with one of the Members of Faculty,) and who shall have complied with the Requisites prescribed by the said Charter, and by the Regulations made or which shall from Time to Time be made in virtue thereof, notwithstanding that such Person or Persons shall not have served a regular Apprenticeship as said is, or shall not have booked an Indenture with one of the Members of Faculty, but always upon Payment of such reasonable Sum of Entry Money to the said Faculty, and to the said Society hereby constituted, as the said Faculty of Procurators shall from Time to Time appoint and fix, in addition to the Entry Money payable at the Time by those Intrants who shall have served an Apprenticeship, and shall have booked an Indenture in Terms of said Charter: Provided always, that said Right to admit such Person or Persons shall from Time to Time be exercised by the said Faculty at a General Meeting of the Members thereof, summoned by the Dean of Faculty for the special Purpose, and that the Resolution to admit such Person or Persons shall be carried by a Majority of the Members of Faculty who shall be present at such Meeting.

Persons may  
become  
Members  
who have  
not served  
Indentures,  
in Terms of  
the Charter

XVI. And be it further enacted, That from and after the passing of this Act every Person not exceeding Fifty Years of Age who shall become a Member of the said Faculty of Procurators shall be bound to pay to the Treasurer of the said Fund, for the Benefit thereof, the Sum of Twenty-five Pounds Sterling, together with an additional Sum of One Pound Five Shillings for every Year the Age of such Intrant exceeds the Age of Twenty-five Years, or such larger Sum or Sums as the said Society, with Consent of the said Faculty, shall from Time to Time fix and appoint; and no Person shall be admitted a Member of the said Faculty of Procurators until Payment of the said Entry Money shall have been previously made, and Receipt for the same, by the Treasurer of the said Fund, be produced to the Collector of the said Faculty; and, after Payment of the said Entry Money, the Person so admitted as a Member of the said Faculty shall be held and deemed a Contributor to or Member of the Fund, and entitled to the Benefit thereof, under the Provisions of this Act, which Entry Money shall be held to be Payment of the Proportion of the present Entry Money to the said Faculty, presently applicable to the said Fund.

Entry  
Money.

XVII. Pro-



Additional  
Entry  
Money of  
Persons who  
have not  
served In-  
dentures.

XVII. Provided always, and be it enacted, That every Person who shall become a Member of the said Faculty of Procurators, and who shall not have served an Indenture with a Member of said Faculty, or booked such Indenture as aforesaid, shall, in addition to the Entry Money above mentioned, pay, at the same Time, to the Treasurer of the said Fund, such further Sum as the said Faculty shall from Time to Time fix and appoint.

Annual Con-  
tributions of  
future  
Members.

XVIII. And be it further enacted, That from and after the passing of this Act every Person who shall be admitted a Member of the said Faculty shall farther be bound and obliged to pay to the Treasurer of the said Society, for the Benefit thereof, the Sum of Three Pounds Ten Shillings yearly, during his Life, or such larger Sum as the said Society shall have previously fixed and appointed, and that at the Terms of *Candlemas* and *Lammas* yearly, by equal Portions, beginning the first Half-yearly Payment at the first of those Terms after his Entry to the Faculty; and so on half-yearly, during his Life, with Interest and Penalties corresponding to the said Half-yearly Payments, as herein-after specified.

Persons who  
have served  
Apprentice-  
ships with  
Members of  
Faculty on  
or before 5th  
Feb. 1827,  
to pay 30s.  
yearly.

XIX. Provided always, and be it enacted, That those Persons who have served Apprenticeships with Members of Faculty under Indentures entered into and regularly booked by the Clerk of Faculty on or before the Fifth Day of *February* One thousand eight hundred and twenty-seven, who shall be admitted Members of the said Faculty within Three Years after the passing of this Act, shall not be bound to pay said Sum of Three Pounds Ten Shillings yearly, but shall every one of them be bound to pay to the Treasurer of the said Society, for the Benefit thereof, One Pound Ten Shillings yearly, by equal Portions at *Candlemas* and *Lammas*, in the same Manner and under the same Conditions as the present Members shall be bound to pay, and such other Sums only as would have been eligible from them if they had been admitted Members previous to the passing of this Act, any thing to the contrary in this Act contained notwithstanding.

No Admis-  
sion after  
the Age of  
50 Years.

XX. And be it further enacted, That no Person shall be admitted a Member of said Society of Contributors after he shall have attained Fifty Years of Age.

Present  
Annual  
Payments  
by the  
Faculty to  
be con-  
tinued;

XXI. And be it further enacted, That the customary Payments of the said Faculty of Procurators to the said Fund, under said Regulations, of One Pound yearly for every Contributor to the said Fund who was admitted to the Benefit thereof, under the foresaid Regulations, before the Seventh Day of *February* One thousand eight hundred and fourteen, and of One Pound Ten Shillings yearly for every Contributor who has been admitted subsequently to that Date, shall continue to be payable by the said Faculty to the Society of Contributors hereby constituted, and that in equal Moieties at *Candlemas* and *Lammas* yearly and each Year during the Period that each of said Contributors respectively shall live, and continue to be a Member of such Society.

XXII. Pro-



XXII. Provided always, and be it enacted, That the Society of Contributors hereby constituted shall not be entitled to draw or to receive from the Faculty's Fund, as customary Payments for the present Members or Contributors, a larger Sum in any One Year than One Third Part of the gross Revenue or Income of said Faculty during that Year; and that said customary Payments from or out of the Faculty Fund for the present Members or Contributors shall wholly cease to be payable to and exigible by said Society at the first Term of *Candlemas* or *Lammas* after it shall have been ascertained by a Resolution of the said Faculty, under a Report of an Accountant, at any of the Investigations to be made under the Authority of this Act, that the Funds of said Society are adequate, without the Aid of these customary Payments, to secure the several Rates of Annuity herein-after mentioned; and further, that the said Society of Contributors shall not be entitled to draw or to receive any Annual Payment whatever from the Faculty Fund, on account or by reason of the Admission of any Person as a Member of said Faculty, or of said Society, who shall be hereafter admitted a Member of said Society.

but not to exceed in any One Year One-third of the Income of the Faculty.

XXIII. And be it further enacted, That every Person who shall be admitted a Member of said Society after the passing of this Act shall, if he be married at the Time, pay to the Treasurer of the said Society, along with his Admission Money, or, if he be not then married, but shall afterwards marry, shall pay, at the first Term of *Candlemas* or *Lammas* next after his Marriage, to the said Treasurer the Sum of Two Pounds Ten Shillings for every Year his Wife may be more than Four Years younger than himself; and every such Member shall, upon every second or subsequent Marriage, pay the like Sum of Two Pounds Ten Shillings for every Year his Wife, of such second and every subsequent Marriage, shall be more than Four Years younger than himself.

Marriage Tax to be paid by future Members.

XXIV. And be it further enacted, That every present Member of the said Society, admitted prior to the passing of this present Act, who shall enter into a second Marriage, shall, after such second Marriage, and after every subsequent Marriage, pay to the Treasurer of the said Fund the Sum of Ten Pounds Sterling.

Tax payable by present Members on entering into a second Marriage.

XXV. And be it further enacted, That every Person who shall become a Member of the said Society after the passing of this Act shall, at the Time of his being admitted a Member of the said Faculty of Procurators, lodge with the Treasurer of the said Fund for the Time being a Certificate or other sufficient Evidence of his Age; and if such Person shall then be married, he shall, at the same Time, intimate that Fact to the Treasurer, and shall likewise lodge a Certificate or other sufficient Evidence of the Age of his Wife; and every Person now being a Member of the said Society, who shall marry after the passing of this Act, shall, within Six Months after his Marriage, lodge with the said Treasurer a Certificate or other sufficient Evidence of his Age; and every Member, present or future, who shall marry after the passing of this Act, shall, within Six Months after his Marriage, and, if he shall marry oftener than once,

Members to lodge Certificates of their Age, and of their Wife's Age, &c.

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shall,



Penalty for  
not intimat-  
ing Mar-  
riage and  
lodging  
Certificates  
of Age.

shall, within Six Months after each successive Marriage, intimate such Marriage to the said Treasurer, and shall, at the same Time, lodge with the said Treasurer a true Certificate or other Evidence, to the Satisfaction of the Directors, of the Age of his Wife, and of the Date at which such Marriage took place; and every Contributor neglecting within the Time hereby limited to lodge such Evidence with the said Treasurer, or to make to the said Treasurer such Intimation as is hereby required, shall forfeit the Sum of Ten Pounds, to be paid to the said Treasurer for the Use of the said Fund, with Interest from the Lapse of the Time hereby limited for lodging the said Evidence, and making the said Intimation, besides the full Costs of prosecuting for and recovering the same; and every Person who shall lodge a Certificate, or produce Evidence on the Subject of his Wife's Age, knowing the same to be false, shall *ipso facto* forfeit all Right to and Interest in said Society for himself and his Widow and Children; and if any Member shall die at any Time before having intimated his Marriage to the Treasurer, the Widow and Children of such Marriage shall forfeit all Right and Title to any Benefit from said Fund; Power being nevertheless reserved to any General Meeting of Contributors, to afford such Relief to the Widows and Children, as Three Fourths of the Members present at such Meeting may think fit.

Penalty and  
Forfeiture  
for Nonpay-  
ment of Con-  
tributions.

XXVI. And be it enacted, That if the said Contributions and Payments herein-before specified, or any of them, shall not be paid when the same fall due respectively, they shall bear Interest at the Rate of Five Pounds *per Centum per Annum* from the Day they and each of them become due, until they are paid, and if not paid at the Term of Payment next following that on which they so fall due, a Penalty of Ten Pounds *per Centum* shall be charged on the whole Amount of Arrears and Interest; provided always, that the Treasurer shall be entitled to relieve the Contributor of Interest for any Period not exceeding Six Months; and if any Member of the said Society shall allow any Sum of Money, payable by him in Name of Marriage Tax, to remain unpaid for the Space of Two Years, or shall allow the Annual Contributions payable by him to run into arrear till the same shall amount to Five Years Contributions, he shall, immediately after the Lapse of the said Periods of Time respectively, forfeit, for the Widow or Children that may be left by him, all Right to and Interest in the said Society and Funds thereof, and he shall cease to be a Member of the said Society to all Intents and Purposes; and the said Forfeiture shall take place *ipso facto* if the whole Amount of the said Arrears, with Interest thereon, and Penalty as aforesaid, shall not be paid in One Sum before the Close of the General Meeting of the Members of the said Fund which shall take place on the First Monday of *February* or First Monday of *August* next after the said Amount of Arrears shall have become payable; and it shall not be necessary that the said Forfeiture be declared by such General Meeting, any Law or Practice to the contrary notwithstanding; and it shall not be competent for the said Treasurer, at any Time, to receive from any Contributor who has run into arrear any Sum less than the whole Amount of the Arrears, with Interest and Penalties incurred in regard thereto, and due by such Contributor at the  
Time:



Time: Provided always, and declaring, that the Person so forfeited, and those Persons who shall have incurred Forfeiture previously to the passing of this Act, and who shall not have exercised their Right to be restored to the Benefit of the Fund within Twelve Months after the passing of this Act as aforesaid, shall be entitled to be restored to the Benefit of the Fund, as if he or they had not incurred such Forfeiture, on his or their producing a Certificate by a Medical Man, or other Evidence which shall be satisfactory to the Preses, Treasurer, and Directors, that he is or that they are not subject to any Disease or Infirmary which has a Tendency to shorten Life, and on his or their paying up the whole Contributions due by him or them at the Time, with Interest thereon at the Rate of Five Pounds *per Centum*, and the additional Sum of Ten Pounds *per Centum* on the Amount of said Arrears and Interest, together with a farther Sum, equal to One Fourth of the Sum of Entry Money which would have been payable to the said Fund by such Person or Persons had he or they then entered for the first Time, corresponding to the Age at which he or they are so restored: Provided always, that such Person or Persons shall not have attained Fifty Years of Age at the Date of his or their Application to be restored as said is.

Power to  
restore  
Persons  
forfeited.

XXVII. And be it further enacted, That it shall and may be lawful to every Member of said Society to redeem the Payment of the future Annual Contributions for which he is liable at the Time, upon making Payment to the Treasurer of the Number of Years Purchase under-written of his said Contributions, together with all Arrears of his Contributions, and Interest thereon, and Additions thereto, that may be due by him at the Time, as before specified, and that according to the Time he may have contributed to the particular Class to which he at the Time belongs; *viz<sup>t</sup>*, if he shall not have paid Five Years Contributions, Sixteen Years Purchase; if he shall have paid Five and less than Ten Years Contributions, Fifteen Years Purchase; if he shall have paid Ten and less than Fifteen Years Contributions, Fourteen Years Purchase; if he shall have paid Fifteen and less than Twenty Years Contributions, Twelve Years Purchase; if he shall have paid Twenty and less than Twenty-five Years Contributions, Ten Years Purchase; if he shall have paid Twenty-five and less than Thirty Years Contributions, Eight Years Purchase; if he shall have paid Thirty and less than Forty Years Contributions, Five Years Purchase; and if any Member of the said Society shall have paid Forty Years Contributions, or redeemed his Contributions in manner foresaid, he shall be free from all future Annual Contributions to the said Fund: Provided always, that the Contributors who shall have thus redeemed their future Annual Rates shall nevertheless be subject to the Payment of the Marriage or Equalizing Tax, if the same be afterwards exigible.

Contributors  
may redeem  
their Annual  
Contribu-  
tions,

but shall be  
still liable to  
Marriage  
Taxes, &c.

XXVIII. And be it further enacted, That any Member of said Society, whether he has been a Contributor to the Fund under the foresaid Regulations, or shall have become a Member of the Society hereby constituted subsequently to the passing of this Act, shall be entitled, for himself and for his Widow and Children, to renounce his, her, and their Interest in the said Society, and in the Funds thereof, and all

Members  
may re-  
nounce their  
Interest in  
the Society.

Benefit



Benefit which might otherwise accrue therefrom, to him, her, or them, under the Operation of either the foresaid Regulations, or of this Act; and upon such Renunciation being executed in due Form, and delivered to the Treasurer, at the Expence of the Party renouncing, the Person executing the same shall cease to be liable in Payment of the Annual Contribution and Marriage Tax, and all other Sums of Money which might otherwise fall due by him to said Society, and shall cease to all Intents and Purposes to be a Member of said Society; and such Person shall not be entitled to be restored or to be again admitted as a Member thereof.

Annuities to  
Widows and  
Children in  
Schedule  
(A.)

XXIX. And be it further enacted, That there shall be paid out of the Funds of said Society, to each of the Widows of deceased Members of the said Faculty whose Names are specified in Schedule (A.) hereunto annexed, and of any other Widow now in Life who may be entitled to the Benefit of the Fund established by the said Faculty, in Terms of the Regulations made and enacted in regard thereto as aforesaid, an Annuity of Twenty-five Pounds Sterling, during her Life, and that half-yearly, by Two equal Portions, at *Candlemas* and *Lammas*, beginning the first of these Payments at the first of these Terms after the passing of this Act, and thereafter half-yearly during her Life, with a proportional Part of the Annuity from the Time of the last Half-yearly Payment down to the Day of her Death, but always with and under the Provisions and Declarations herein-after contained; and there shall be paid to the Children of a deceased Contributor named in the said Schedule an Annuity of Twenty-five Pounds for the Term therein mentioned.

Annuities to  
future  
Widows.

XXX. And be it further enacted, That there shall be paid out of the Funds of said Society, to the Widow of every Member of the said Faculty who may have contributed to the said Fund established by the said Faculty, or to the Funds of said Society established under the Provisions of this Act, and who, at the Time of his Death, shall have an Interest therein, and shall be entitled to the Benefit thereof for his Widow, in Terms of the Provisions herein contained, an Annuity of Twenty-five Pounds Sterling during her Life, and that half-yearly, at *Candlemas* and *Lammas*, by equal Portions, beginning the first Payment on the first of these Terms after the Death of the Husband, corresponding to the Time from the Death of the Husband to the said first Day of Payment; and the next Payment at the next of those Terms thereafter for the Half Year preceding, and so on half-yearly and proportionally during all the Days of the Life of such Widow, but always with and under the Provisions and Declarations herein-after expressed.

Trustees  
may require  
Evidence of  
Contributor's  
Death, &c.

XXXI. Provided always, and be it enacted, That the said Trustees shall have Power to call for such Evidence of the Death of the Contributors, and of their having left Widows, and of the Widows being in Life, from Time to Time, as they shall deem necessary.

Annuity  
forfeited if  
a Widow  
marry again;

XXXII. Provided further, and be it enacted, That if a Widow, entitled to the Benefit of the Society, shall marry again, she shall, from and after the Day of such Marriage, *ipso facto* forfeit all Right



to the said Annuity, and all Interest in the said Society, during the Subsistence of such Marriage; but if she shall again become a Widow, then in that Event the Annuity to which she was formerly entitled shall revive, and shall again become payable to her, from and after the Time of her so becoming a Widow again, and shall be payable and continue thereafter during her Life or Widowhood, as aforesaid, under Deduction always of such Payments as shall have been made or shall be payable to the Children of the deceased Member, her former Husband, as herein-after mentioned.

but to revive again if she becomes a Widow.

XXXIII. And be it further enacted, That no Widow shall be entitled to draw more than One Annuity from the said Society, though she may have been the Widow of more than One Contributor in succession: Provided always, that if any Member shall marry the Widow of a former Contributor or Member enjoying the Benefit of the Society, such Member shall be exempted from the Payment of Marriage Tax in consequence of such Marriage, and shall also be exempted from Annual Contributions during the Subsistence of such Marriage.

Widow to draw only one Annuity. Member marrying a Widow to be free from Marriage Tax, &c.

XXXIV. And be it further enacted, That in case any Member of the said Society shall die without leaving a Widow, the lawful Child or Children of such Member, if any survive him, shall be entitled to the said Annuity of Twenty-five Pounds, and that for Five Years from and after the Death of their said Father, payable at the Terms and in the same Manner as Annuities to Widows, as herein-before mentioned: and if the Widow of a Contributor entitled to and in the Receipt of an Annuity from the said Fund as aforesaid shall not survive her Husband Five Years, or shall forfeit her Annuity by entering into another Marriage within the Period of said Five Years, the Child or Children of such Member, if any shall survive his Widow, shall be entitled to the said Annuity which shall have remained undrawn by the Widow for the Period of Five Years from the Death of their Father, or for such Part of the said Period as the said Child or Children shall survive, payable the said Annuity as aforesaid.

Annuities to Children.

XXXV. And be it enacted, That such Portions of the said Annuities as may be due at the Death of the said Widows, or at the Deaths of the said Children respectively, shall be paid within One Month thereafter to such Person or Persons as they may have directed by any Writing under their Hands, failing which, to their reputed Heirs or nearest of Kin; and the Receipts of the Person or Persons to whom the Payments are so made shall be sufficient Discharges to the said Trustees; and the said Society shall thus be effectually exonerated and relieved of and from all Claims whatsoever, for or on account of such Widows and Children, any Law or Practice to the contrary notwithstanding.

Arrears of Annuities to be paid to Representatives.

XXXVI. Provided always, and be it further enacted, That if any married Contributor, or any Contributor having Children, shall die without having paid, for Six Years, the Annual Contributions payable by and exigible from him, or purchased Exemption therefrom, in manner foresaid, those Contributions, as they fell to have been paid, shall

When a Contributor dies without having paid Six Years Con-

[*Local.*]

16 L

form



tributions,  
these to be  
deducted  
from  
Annuity;

but Widows  
and Children  
shall have  
recourse  
against  
Represent-  
atives.

form a Charge upon the Annuity payable to the Widow or Children of such Contributor, and shall be deducted from each Half-yearly Payment till they shall make up Six Years Contributions from the Date of the Entry of such Contributor; and all Contributions in arrear at the Death of a married Contributor, or of a Contributor leaving Children, with the Interest and Penalties which may be due thereon, if they are not such as to infer Forfeiture of the Annuity as aforesaid, shall form a Charge upon the Annuity payable to the Widow or Children, as the Case may be, of such Contributor, and shall be deducted therefrom annually, until they shall be fully liquidated and discharged, but in the Proportion of not more in One Year than One Third Part of the said Annuity; but declaring that the Heirs and Representatives of every Contributor, whether he be married or unmarried at the Time of his Death, shall in all Cases be liable in the Payment of the Contributions, Interest, and Penalties due by such Contributor at the Time of his Death; and that the Payment of the Arrears due by the said Contributor, if thus obtained from his Widow, shall not be held to free and relieve the Heirs or Representatives of the said Contributor of their Liability for the same, but all the said Widows, and each of them, shall be entitled to insist against the Representatives of their deceased Husbands, not merely for Repayment of the Sums which may be deducted on that Account from their Annuities, from Year to Year, but further, as soon after the Deaths of their Husbands as such Arrears are known to exist, and before any such Deductions shall be made, it shall be lawful to each of the said Widows, upon producing the Certificate of the said Treasurer, specifying the Amount of such Arrears, to demand of the said Representatives that the same be discharged forthwith, and her Annuity relieved thereof in all Time coming; and the said Representatives shall be bound to relieve the said Widow accordingly; and the said Treasurer shall grant such Certificates whenever he may be required by any of the said Widows so to do.

Annuities  
alimentary,  
and not  
assignable or  
attachable.

XXXVII. And be it further enacted, 'That it shall not be lawful for the Widows or Children entitled to Annuities under the Provisions of this Act to sell, assign, or transfer the same, or any Part thereof; nor shall the said Annuities be subject to Arrestment or other Diligence at the Instance of their Creditors; but the said Annuities shall be purely alimentary, and shall be paid, notwithstanding any such Assignment, Arrestment, or Diligence, to the Widows and Children respectively entitled to the same, upon their own Receipt, and for their own Use exclusively.

Affairs of  
the Fund to  
be investi-  
gated  
periodically.

XXXVIII. And be it further enacted, That the Affairs of the said Society shall be investigated periodically for the Purpose of ascertaining whether the accumulated Fund realized at the Time, and the Interest accruing thereon, together with the expected future Payments of the then existing Contributors, will be sufficient, or more or less than sufficient, for the Payment of the Annuities charged upon the Fund at the Time, and such as may be expected to become chargeable in respect of the said existing Contributors, at the several Rates hereinbefore specified, or at such other Rates as may have been fixed under the Provisions of this Act; and which Investigations shall be made



upon Remits from the Trustees by One or more Accountant or Accountants, or Persons skilled in the Value of Annuities on Lives, and according to the *Northampton* Tables of the Probabilities of Human Life, or the most approved Tables of Mortality in use at the Time; taken in connection with and modified, if thought expedient, by the Experience of this and similar Schemes; and if it shall be the Opinion of the said Accountant or Accountants, (upon comparing the aggregate Amount of the accumulated Fund at the Time, and of the calculated Value of the Fund expected from the future Contributions of the then existing Members, with the calculated Value of the Annuities payable to the Widows and Children on the Fund at the Time, and of the contingent Annuities that may become payable to the Widows and Children of the then existing Members,) that the Amount of the said accumulated and expected Fund either exceeds or falls short of the calculated Value of the whole of the said Annuities then existing and contingent, the said Accountant or Accountants shall further report what Annuities the Fund will, in his or their Opinion, afford and ensure to the Widows and Children then on the Fund, and such as may be expected to become chargeable in respect of the then present Contributors; and the said Accountant or Accountants shall further report on the Adequacy or otherwise of the Sums payable at the Time in Redemption of the Annual Rates, and suggest such Alterations and Improvements upon the whole Scheme, or any Part thereof, as may by him or them be deemed necessary or expedient.

XXXIX. And be it enacted, That the first Investigation of the Affairs of the said Society, in manner foresaid, shall be made at the Term of *Candlemas* One thousand eight hundred and thirty-four, and the next Investigation at the Term of *Candlemas* One thousand eight hundred and forty-one, and a similar Investigation shall be made at the Term of *Candlemas* after a Lapse of every succeeding Term of Seven Years, or more frequently, as the Society of Contributors shall at any General Meeting direct and appoint; and after every such Investigation made as aforesaid a Report shall be made by the Accountant or Accountants to whom the same may be remitted as aforesaid, to a Meeting of the Trustees to be held as soon after each Period of Investigation as conveniently may be; and upon receiving such Report the said Trustees shall forthwith call a Special General Meeting of the Contributors, for the Purpose of considering the said Report, with such Suggestions as may be made by the Trustees thereon.

Periods of  
Investiga-  
tion.

XL. And be it enacted, That in case it shall appear, from the Report made by the Accountant or Accountants, on the Investigation of the Affairs of the Fund at any stated Period of Investigation as aforesaid, and approved of by the Trustees, that there is a Deficiency of Funds for answering the Annuities then charged on the Fund, and the Annuities that may become chargeable thereon in respect of the then existing Members, then and in every such Case it shall and may be lawful to a Majority of the Members present at a General Meeting of Contributors called as aforesaid, or at any other Meeting to which the same may be adjourned, to diminish the Rates of the Annuities, so as to make the Amount of the realized Fund, and the calculated Value

Power to  
diminish  
Annuities,  
on Account-  
ant's Report.



Value of the Fund, fully equivalent to the calculated Value of the Annuities then charged on the Fund, and those which may become charged thereon in respect of the then existing Members.

Power to  
increase the  
Annuities on  
Account-  
ant's Report.

Limitation  
of the  
Increase.

XLI. And be it further enacted, That in case it shall appear, upon any such Investigation and Report as aforesaid, that the aggregate Amount of the Fund realized, and the calculated Value of the Fund expected from the Contributions of the then existing Members, exceeds the calculated Value of the whole Annuities then charged on the Fund, and of those expected from the then existing Members, then and in every such Case it shall and may be lawful to a Majority of the Members assembled at any such General Meeting called as aforesaid, or adjourned Meeting, to make such Addition to the Annuities payable as aforesaid, or which may be payable according to the Rules of the Scheme for the Time, as the said Majority shall think fit: Provided always, that the calculated Value of the whole Annuities (according to the Rates to which it may be resolved to increase the same) payable to the Widows and Children then on the Fund, and which may become payable to the Widows and Children of the then existing Members, together with Ten Pounds *per Centum* on the said calculated Value, shall not exceed the aggregate Amount of the Fund realized, together with the calculated Value of the future Contributions of the then existing Members; it being hereby specially provided and declared, that the Increase which may be made to the Annuities as aforesaid shall be limited accordingly.

Contribu-  
tions, &c. of  
future  
Members to  
be increased,  
if Annuities  
are in-  
creased.

Increase  
may be  
made either  
on Entry  
Money or on  
Annual Con-  
tributions,  
or on both.

As to  
Changes in  
Rates of  
Annuities.

XLII. Provided also, and be it enacted, That in case an Addition shall at any Time be made to the Rate of the Annuities payable according to the Rules of the Society at the Time, under the Provisions of this Act, then and in every such Case it shall and may be lawful to the Majority of Members present at any such General Meeting called as aforesaid, or Adjourned Meeting, to make such Additions to the Entry Money, Annual Contribution and Marriage Taxes to be exacted from the Persons who may be thereafter admitted Members of the Society, or Contributors to the Fund, as may, in the Opinion of the Accountant or Accountants to whom a Remit may have been made as aforesaid, and of the said Trustees, be necessary to make the Entry Money and other Contributions exigible from the future Members upon the whole fully adequate to the Provision of the Annuities to the Widows and Children of the future Members upon an Average, according to the increased Rates of the said Annuities; and the said Majority shall be and they are hereby authorized and empowered, in such Case, to make the said Additions either wholly upon the Entry Money, or wholly upon the Annual Contributions, or partly and in such Proportions upon both, as they may deem most expedient; the said Entry Money and Annual Contributions, together with Marriage Taxes, being upon the whole adequate to the Value of the said Annuities which may become payable to the Widows and Children of the future Contributors to the said Fund.

XLIII. Provided also, and be it further enacted, That all Changes in the Rates of the Annuity shall affect and be made in reference not only to the Annuities charged on the Fund at the Time, but to those which



which may become chargeable thereon, and shall continue until altered at any future Period of Investigation, under the Provisions of this Act.

XLIV. Provided also, and be it further enacted, That it shall not be competent to the Members assembled at any such General Meeting to increase the Contributions from the Persons who shall be Members of the Society at the Time.

Rates of Members not to be increased.

XLV. And be it further enacted, That there shall be in every Year Two General Meetings of the Members of said Society, one of these Meetings on the First *Monday of February*, and the other on the First *Monday of August*, and the said Trustees shall also in every Year hold Three Meetings at the least, One of them on the Third *Monday of February*, another on the First *Monday of May*, and the Third on the First *Monday of November*, at which Meetings there shall be laid before the said Members and Trustees respectively the States, Reports, and others after mentioned, on all which they shall issue to the Treasurer for the Time being such Orders and Instructions as to them shall appear proper and expedient: Provided always, that the Preses, Treasurer, or any Two of the Trustees for the Time shall be entitled to call General Meetings of the Members whensoever and as often as they shall judge proper; and they shall also be bound to call such General Meetings at all Times, on a Requisition signed by any Five qualified Members of said Society, and that within Fourteen Days after such Requisition shall have been lodged.

Stated Meetings of the Contributors and Trustees.

Trustees may call General Meetings.

XLVI. And be it enacted, That at all Meetings the Preses or Chairman shall sign the Minutes, and shall, besides an original Vote, have a casting Vote in all Cases of Equality; and it is hereby declared, that no Member who shall have been Six Months or upwards in arrear of his Half-yearly Contributions, or by whom Marriage and Equalizing Taxes, or other Payments due to the said Society, shall be due for Six Months or upwards, shall have any Vote at said General Meetings, or at any other Meetings of the Members; and it is hereby further declared, that at all General Meetings Ten Members at least who are entitled to vote at such Meetings shall be requisite to constitute a Quorum for the Despatch of Business, and that no Resolution adopted at such Meeting shall be valid unless such Quorum be present when the same is so adopted; but it shall be in the Power of any smaller Number of such Members to adjourn the said Meeting to a future Day: Provided always, that in case a Quorum of Members shall not be present at the said General Meeting to be held on the First *Monday of February* One thousand eight hundred and thirty-four, or at any General Meeting to be held on the First *Monday of February* in any Year thereafter, the Members present may adjourn the same to another Day, not being less than Fourteen Days thereafter, at which adjourned Meeting it shall be lawful to the Majority of the Contributors then present, although not constituting a Quorum, to elect the Preses, Treasurer, and Directors.

Preses.

No Contributor Six Months in arrear to vote at any Meeting.

Quorum.

Power to a smaller Number to adjourn.



Duties of  
the Treas-  
urer.

XLVII. And be it further enacted, That the Treasurer shall have Power to receive and discharge the whole Income of the Fund, and to manage the Concerns of the Fund, under the Direction of the said Trustees, subject to the Controul of the General Meetings of the Contributors ; and the said Treasurer shall keep regular Books, under the Inspection and Direction of the Trustees, which shall contain an exact Account of all his Intromissions with the Monies belonging to the said Fund, and Payments made therefrom ; and he shall annually lay his Accounts before the said Trustees at the aforesaid Meeting to be held on the Third *Monday of February*, in order to their being examined, balanced, and docketed by the Trustees for the Time, and by those Persons who were Directors during the immediately preceding Year, and who were not re-elected, all which Persons shall also be warned to attend, and shall form Part of the said Meeting of Trustees to be so held on the Third *Monday of February* ; and the Treasurer shall also produce the Books so to be kept by him at each of the Two Half-yearly General Meetings, and Two Half-yearly Meetings of the Directors herein-before mentioned, for the Examination and Controul of the Members and Trustees respectively present at the said Meetings ; and the Treasurer shall also prepare annually, within One Month after the said Meeting on the Third *Monday of February*, an abstract State of the Fund, which shall forthwith be distributed among the Contributors ; and in case the Trustees shall at any Time find it necessary, they shall have Power to suspend the Treasurer from his Office, and to name an interim Treasurer, and to call a General Meeting of the Members, which General Meeting shall have full Power, either to reinstate the Treasurer, or to remove him from his Office, and to elect another in his Place.

Further  
Duties of  
Treasurer.

XLVIII. And be it further enacted, That the Treasurer shall attend all the Meetings of the Members and of the Trustees, and shall frame the Minutes thereof under their Direction, and shall keep a correct and authentic Record of their Proceedings, engrossing into such Record all the Minutes, States, Lists, Reports, and other such Documents as the said Meeting shall order to be engrossed, with the Orders of said Meetings (if any) made thereupon ; and he shall act upon the Instructions he shall receive from the said Trustees from Time to Time, in regard to the Course to be adopted for rendering Arrears effectual, with the Interest and Penalties that may accrue thereon ; and it shall be the Duty of the said Treasurer to call the General Meetings, and the Meetings of the Trustees herein-before appointed to be held, and such other Meetings as may be held under the Authority of this Act ; and the said Treasurer shall never at any Time retain in his Hands, beyond Six Days, more than Twenty Pounds of the Monies belonging to the said Fund, but shall deposit the same as received in such Bank or Banks, or with such Banking Company or Banking Companies within the said City of *Glasgow*, as the said Trustees shall direct, upon an Account or Accounts to be opened in the Books thereof in Name of " The Preses and Treasurer of the Widows Fund of the Faculty of Procurators of *Glasgow* ; " and which Monies or Part thereof shall not



be drawn out except upon Orders signed by the said Preses and Treasurer.

XLIX. And be it further enacted, That each Person who may be elected Treasurer as aforesaid shall, within One Month from the Date of his Appointment, and previous to his entering upon Office, be bound to lodge with the Trustees a Bond of Caution, with a Surety or Sureties to their Satisfaction, for his Intrusions and Management, to such Extent as shall be fixed at the General Meeting at which he shall have been elected; and it shall not be competent to such Surety or Sureties to plead Exemption from his or their Obligation, on account of any Negligence or alleged Negligence on the Part of the said Trustees or Members in enforcing exact Performance of the Duties required of the said Treasurer under the Provisions of this Act; and it is hereby declared, that after the said Treasurer shall have been elected, and shall have found Caution, he shall not, on being re-elected, be bound to find new Caution, but the Bond originally given shall continue in force, and the Cautioner or Cautioners therein be bound as Security or Securities for the said Treasurer, during the Time of his continuing in Office, unless a Majority of the Trustees, or of the Members present at a General Meeting, shall see Cause to require a new Bond of Caution, which they are hereby empowered to do; and the said Bond shall be in the Form specified and set forth in the Schedule (B.) hereunto annexed; and the said Treasurer shall be allowed such Salary as shall be fixed by the Majority of Members present at the General Meeting at which he shall be elected, or at any other General Meeting which shall be called for the Purpose.

Treasurer to find Security.

Treasurer's Salary to be fixed by General Meeting.

L. And be it further enacted, That the said Trustees shall from Time to Time lay out and invest the Monies of the said Fund, or so much thereof as may not be required for the Payment of the Current Annuities and other Charges, in good and approved Heritable Securities, or in the Purchase of Feu Duties and Ground Annuals, or of Government Stock, or Stock of the Bank of *England*, or Stock of the Bank of *Scotland*, or Royal Bank of *Scotland*, or *British Linen Company*, and that no Part of the Funds shall be otherways invested; that all Heritable Bond or Bonds, and Dispositions in Security, Dispositions, Assignations, Conveyances, and other Deeds and Instruments, granted for and with reference to such Loans or Investments, shall be conceived and taken in Name of the Preses, Treasurer, and Directors for the Time being, *nominatim*, and of their Successors in Office, for behoof of the said Society; and the Monies so lent out, with the Securities granted for the same, and Lands and other Heritages conveyed in Security, and the Feu Duties, Ground Annuals, and Stock so purchased, with the Assignations, Dispositions, and other Deeds and Investments establishing a Right and Title to the same, shall at all Times become effectually vested in the Preses, Treasurer, and Directors for the Time being, without any Deed of Transference from their Predecessors in Office, with Power to the said Trustees, or a Quorum of them, to call up the Sums so lent, and to sell the Feu Duties, Ground Annuals, and Stock so purchased at any Time, and to discharge and renounce or assign and convey the

Investment of the Funds.



the said Heritable Securities; and all Receipts, Discharges, and Renunciations, Dispositions, Assignations, or other necessary Instruments, shall, if duly executed by the Quorum of the said Directors for the Time being, be sufficient and effectual to the Person or Persons in whose Favour the same shall be granted; and also with Power to the said Trustees to lend out again and reinvest in like Manner from Time to Time the Proceeds of such Loans and Investments, or such Parts thereof as may not be wanted for carrying into effect the Purposes of the Trust as aforesaid: Provided always, that it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to lay out and invest the said Monies, or such Part thereof as shall be applied in the Purchase of Government Stock, or Stock of the Bank of *England*, in the Names of the Preses and Treasurer for the Time being; and to take from the said Preses and Treasurer such Declaration of Trust, or Obligations, as to the said Trustees shall appear necessary and proper for effectually binding the said Preses and Treasurer to hold such Government Stock, or Stock of the Bank of *England*, and all Interests, Dividends, and Profits from Time to Time to become due thereon, at and subject to the Disposal and Controul of the Trustees of the said Society, in regard to the purchasing, selling, and transferring from Time to Time such Stock, and receiving, accounting for, and paying over the Interest, Dividends, and Profits to become due thereon as aforesaid.

Power to  
purchase  
Stock.

LI. And whereas the Bonds and Dispositions in Security held by the said Fund are conceived in Name of the Dean and Treasurer of the said Faculty of Procurators, and their Successors in Office, for behoof of the said Widows Fund, it is hereby declared, that the said Bonds and Dispositions in Security, and the Infeftments following thereon, shall, at and after the passing of this Act, be held to be vested in the said Preses, Treasurer, and Directors, and their Successors in Office, as Trustees, for behoof of the said Society, without any Assignation or other Transference to that Effect; with Power to them to call up, receive, renounce, and discharge the same in manner before mentioned; be it enacted, and without Prejudice to the Enactment above expressed, That the Dean and Treasurer of the said Faculty in whose Names any of the Monies belonging to the said Fund are vested shall be bound and obliged to execute or concur in all such Dispositions, Assignations, Discharges, Renunciations, and other Deeds as shall be required for the more effectually transferring and conveying the Securities of the said Fund to the said Trustees or their Assignees, or for assigning or discharging and renouncing the same, on Payment of the Sums of Money therein contained.

Meetings to  
be held in  
the City of  
Glasgow,  
and called  
by Circular  
put into the  
Post Office.

LII. And be it further enacted, That the General Meetings of the Members of said Society of Contributors shall be held within the City of *Glasgow*, and shall be called by a circular Letter or Notice stating the Time and Place of Meeting, signed by the Treasurer, or by the Preses or Directors calling the same, addressed to each of the Members who shall reside or shall have a Place of Business within the City of *Glasgow*, and shall be put into the General Post Office of the said City; but such of the Members of said Society as do not reside  
and



and have no Dwelling House or Place of Business therein shall be held to have dispensed with such Intimations, and also with the Transmission of Reports or other Papers which it may be necessary to distribute among the said Members, unless they shall intimate to the said Treasurer in Writing their Names and Addresses, or the Names and Addresses of some Persons residing in *Glasgow* to whom the said Circular Letters may be transmitted, in either of which Cases the said Treasurer shall send such Letters of Intimation and the said Reports or other Papers accordingly; and in all Cases where a Special General Meeting is called the said Treasurer shall state in the Circular Notices the Purposes for which the Meeting is to be held, and the Business to be brought before it, and shall in like Manner intimate to the said Trustees the Meetings to be held by them, in such Manner as they may themselves appoint; and the Minutes of every General Meeting shall bear that the said Treasurer had called the said Meeting in due Form, as herein-before directed, which shall be held as sufficient Evidence that the said Meetings were so called.

LIII. And be it further enacted, That the said Trustees may sue and be sued, for and concerning all Matters and Things arising out of the Affairs of the said Trust, or connected therewith, and with the Management and Administration of the said Widows Fund, in the Name of the Treasurer for the Time being, and if there be no Treasurer, in the Name of any One of the Trustees, and the Actions or Suits which shall be so instituted shall not abate or fall by any Act or Deed of the said Treasurer or Trustee, nor by his Death, Resignation, or Suspension, but be continued nevertheless, either in his own Name or in the Name of his Successor in Office, till the final Issue thereof; declaring that in all such Suits or Actions the Books of the said Society shall be deemed and taken to be legal Evidence, and the said Trustees, and any Officers employed under them, shall and may be received as lawful and competent Witnesses.

Trustees  
may sue and  
be sued in  
Name of the  
Treasurer.

LIV. And be it further enacted, That the said Treasurer shall have an Office or Place of Business within the said City of *Glasgow*, to which the Contributors shall have Access during the usual Hours of Business, on all proper Occasions; and all the Contributions herein-before made payable to the said Society or to the said Treasurer, and the Interests and Penalties which may accrue thereon, and also the Annuities herein-before made payable to the Widows and Children of the said Contributors, shall be paid at the Office of the said Treasurer, for all which Payments to the Treasurer he shall give a sufficient Receipt; and at the said Office any of the Members shall be entitled to inspect the Books and Documents of the Society at any Time, without Fee or Reward.

Treasurer to  
have an  
Office in  
*Glasgow*.

LV. And be it further enacted, That at the said General and Special General Meetings the said Preses, whom failing the Person who shall be chosen by a Majority of the Members present at such Meetings, shall preside, and sign the Minutes of the said Meetings; and at the Meetings of the said Trustees the said Preses, failing whom the Person who shall be chosen by a Majority of the Trustees

At Meetings,  
the Preses,  
or some Per-  
son chosen,  
shall preside  
and sign the  
Minutes.

[Local.]

16 N

present,



present, shall preside, and sign the Minutes of the said Meetings; and no Resolutions, Instructions, Acts, or Deeds whatsoever of the said Contributors or of the said Trustees respectively shall be valid and effectual unless the same be entered in the said Minutes, and authenticated by the Signature of the Person so acting as Preses.

Power to  
make Regu-  
lations.

LVI. And be it enacted, That it shall be lawful to a Majority of the Members of said Society assembled at any General Meeting to make such Regulations and Bye Laws from Time to Time as may be found necessary and expedient for beneficially managing and administering the said Fund, or the Affairs of said Society: Provided always, that such Regulations shall not be repugnant to the Laws of this Realm, nor inconsistent with the Provisions and Declarations herein-before contained, and the true Intent and Meaning of this Act.

Schedules to  
be taken as  
Part of the  
Act.

LVII. And be it further enacted, That the before-mentioned Schedules (A.) and (B.) hereunto annexed shall be deemed and taken as much a Part of this Act as if the same and every Part thereof were engrossed herein in Words at Length.

Public Act.

LVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.



## SCHEDULE (A.) to which the foregoing Bill refers.

LIST OF WIDOWS AND CHILDREN ENTITLED TO ANNUITIES OF  
TWENTY-FIVE POUNDS PRESENTLY CHARGED ON THE FUND.

Mrs. Thomson.  
 „ Isabella Mann.  
 „ Oswald.  
 „ Nevin.  
 „ Hutchison.  
 „ Barton.  
 „ Knox.  
 „ Turnbull.  
 „ Grahame.  
 „ Anderson.  
 „ Carrick.  
 „ Taylor.  
 „ Cunnison.  
 „ Hill.

Mrs. Clark.  
 „ Lindsay.  
 „ Rowan.  
 „ Russell.  
 „ Park.  
 „ Lang.  
 „ Smith.  
 „ Ure.  
 „ Buchanan.  
 „ Mathie.  
 „ Lemon.  
 „ Harvie.  
 The Family of the late Mr. Scales.

The Annuity to whom shall cease to be payable in February One thousand eight hundred and thirty-five, at which Time the last Half-yearly Payment falls due.

## SCHEDULE (B.) to which the foregoing Act refers.

*Form of Bond by the Treasurer and his Cautioner.*

WE, *A.* and *B.*, considering that by an Act passed in the Year of the Reign of His Majesty *William* the Fourth, intituled *An Act for the better establishing and securing a Fund for providing Annuities to the Widows and Children of the Members of the Faculty of Procurators in Glasgow*, Provision is made for the Election of a Treasurer, with Power to receive and discharge the whole Income of the said Fund, and to manage the Concerns thereof, under the Direction of the Trustees thereof, and subject to the Controul of the General Meetings of the Members, and which Treasurer is thereby directed to find Security for his Intrromissions and Management to the Satisfaction of the said Trustees, and to such Extent as shall have been fixed at the General Meeting at which he shall have been elected; and I the said *A.* having been elected to the said Office at a General Meeting of the Members of the Society of Contributors to the said Fund held on the \_\_\_\_\_ Day of \_\_\_\_\_, and having been required in Terms of the said Act to find Security for my Intrromissions and Management as Treasurer aforesaid to the Extent of \_\_\_\_\_ Sterling; and I the said *B.* having been proposed by the said *A.*, and approved of by the said \_\_\_\_\_ Meeting,



