ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 126.

An Act for providing a Fund for Annuities for Widows of Members of the Incorporation of Bakers of the City of *Edinburgh*. [3d *June* 1813.]

WHEREAS the Members of the Incorporation of Bakers of the City of *Edinburgh* have by an Act of the said Incorporation, dated the Fifth Day of *October* One thousand eight hundred and three Years, formed a Scheme, under certain Regulations, for providing a Fund for Annuities to the Widows, and in certain Events to the Children of the Members thereof, who shall accede to the said Scheme, and of their Clerk; by which Regulations it was agreed, that the intended Fund should be raised by Quarterly Contributions from the Funds which belong to the Incorporation, at the Rate of Ten Shillings each Quarter for each Contributor, and from the individual Members for themselves, and from their own personal Funds at the Rate of Twenty Shillings each Quarter, since the Term of *Candlemas* One thousand eight hundred and four; and, besides these Quarterly Contributions, it was also agreed that several other occasional Sums should be applied in Aid of the said Fund, in Name of Entry-Money, Marriage-Fines, and otherwise: And whereas, agreeably to these Regulations, the aforesaid Contributions were accordingly levied, and paid into the Hands of the *interim* Treasurer of the said Fund, from the Term of *Candlemas* One thousand eight hundred and four to the Term of *Candlemas* One thousand eight hundred and ten, when it appeared proper to alter the Rate of Contribution in two Particulars, *videlicet*, that the Treasurer of the

Incorporation ſhould pay each Quarter Five Shillings in place of Ten for each Contributor, and that each contributing Member ſhould pay each Quarter Twenty-five Shillings in place of Twenty; and accordingly Contributions at theſe Rates have been collected from and ſince the ſaid Term of *Candlemas* One thouſand eight hundred and ten, down to the Term of *Martinmas* One thouſand eight hundred and twelve, when the Sum ariſing from Contributions now in the Hands of the *interim* Treaſurer amounted to Three thouſand and twenty-ſix Pounds and Four-pence Sterling, which will be increaſed by the Sum of Two hundred and fifty-two Pounds five Shillings Sterling, being the Arrears of Quarterly Contributions outſtanding at the ſaid Term of *Martinmas*, One thouſand eight hundred and twelve: but the ſaid Scheme cannot be effectually carried into Execution 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 the ſaid Scheme ſhall be known by the Name of the "Widows' Fund for the Incorporation of Bakers within the City of *Edinburgh*," and that the Sum of Three thouſand twenty-ſix Pounds and Four-pence Sterling already received by the ſaid interim Treaſurer, and the ſaid Sum of Two hundred and fifty-two Pounds Five Shillings Sterling of Arrears, when recovered, ſhall, with the Contributions and Fines hereinafter mentioned, form the Fund thereof; and the ſaid Treaſurer is hereby empowered to aſk, demand, uplift, and diſcharge, levy, ſue, and uſe all Manner of legal Diligence, not only for Payment of the Arrears before mentioned, but likewiſe for Payment of all the Marriage Fines hitherto or hereafter to be incurred, ſo ſoon as the ſame ſhall be aſcertained.

Name of Fund.

Contribution from the Funds of the Incorporation.

II. And be it enacted, That there ſhall be paid by the Treaſurer of the ſaid Incorporation for the Time being, from the Funds of the Incorporation Five Shillings each Quarter for every Contributor to the ſaid Scheme, from the ſaid Term of *Martinmas* laſt, and in all Time thereafter; and ſuch of the preſent Members of the ſaid Incorporation who have already acceded to the ſaid Scheme, and ſhall not have ſignified their Intention of withdrawing therefrom by a Writing under their Hands reſpectively before the paſſing of this Act, ſhall be held to be Contributors.

Contribution by Members of the Incorporation, and Regulations as to Admiſſion.

III. And be it enacted, That each of the preſent Members of the ſaid Incorporation who ſhall accede to the ſaid Scheme, ſhall be bound to make Payment to the Collector, to be named in Manner after mentioned, of the Sum of Twenty-five Shillings Sterling *per* Quarter, from and after the Term of *Martinmas* One thouſand eight hundred and twelve; and that all Perſons who ſhall be admitted Members of the ſaid Incorporation after the paſſing of this Act, ſhall in conſequence of their Admiſſion be held and bound to accede to this Scheme, and ſhall make Payment of the Sum of Five Pounds Sterling to the Fund thereof at their Entry, and alſo of the ſaid Sum of Twenty-five Shillings Sterling at each ſucceeding Term of *Candlemas*, *Whitſunday*, *Lammas*, and *Martinmas* after their reſpective Admiſſions, with Intereſt thereof at the Rate of Five Pounds *per Centum* from each ſuch Term, and a Fifth Part more of Penalty for each Term's

Term's Failure in Payment: Provided always, that no Member of the ſaid Incorporation ſhall be admitted to the ſaid Scheme if, at the Time of his Admiſſion as a Member, he ſhall be paſt the Age of Forty-five Years, or who, at the Time of his applying for Admiſſion, ſhall appear to be of a weakly and ſickly Conſtitution; and in caſe of any Doubt being entertained by any of the Members admitted to the ſaid Scheme as to the State of the Intrant's Health or Conſtitution, the Members of the Incorporation, being Contributors to the Fund, ſhall appoint a Phyſician and Surgeon, from whom the Intrant ſhall be obliged, within Six Months from the Date of his Application, to procure a Certificate as to the general State of his Health, on conſidering whereof the Incorporation as aforeſaid ſhall have it in their Power either to admit or reject the Intrant from the Benefit of this Fund; and in caſe of his being rejected by a Majority of Votes, he ſhall never have it in his Power to apply to be admitted to the ſaid Scheme at any after Period; or in caſe of his not producing a Certificate within the Time preſcribed, he ſhall be held to have paſſed from any Claim he might otherwiſe have had to Admiſſion, and his Application ſhall be rejected accordingly.

Further Aid from the Funds of the Incorporation.

IV. And be it enacted, That in caſe at any Time hereafter it ſhall appear to the Members of the ſaid Incorporation, at a General Meeting to which they ſhall be regularly ſummoned by a Billet left at their reſpective Dwelling-houſes at leaſt Two Days previous to the Meeting, that the Funds of the Incorporation are more than ſufficient in any One Year for defraying the annual neceſſary Expenditure and ordinary Allowance to the Poor of the ſaid Incorporation, then it ſhall be lawful for ſuch Meeting to direct the Treaſurer of the Incorporation to pay to the ſaid Collector ſuch Sum for that Year out of the Funds of the Incorporation as ſhall be judged proper, which ſhall be applied to the eſtabliſhing of the Capital of the ſaid Fund, or reducing the Quarterly Payments from the Subſcribers, as may ſeem proper to them; provided that no Order for ſuch Payment ſhall be made except with the Conſent of Three-fourths of the Members of the ſaid Incorporation who ſhall be preſent at ſuch General Meeting.

Contributors for Twenty-four Years relieved from further Contributions.

V. And be it enacted, That no preſent or future Member of the ſaid Incorporation who is a Contributor to the ſaid Fund, and who ſhall have paid his annual Rate or Contribution for Twenty-four Years ſucceſſively with Intereſt, and Penalty if incurred, ſhall be obliged to pay or contribute more thereafter during his Life; any Thing in this Act to the contrary notwithſtanding.

Contributions on Marriage.

VI. And be it enacted, That every Member who ſhall enter into this Scheme after the paſſing of this Act, if then married, or ſhall thereafter marry a Woman younger, but not above Five Years younger than himſelf, ſhall pay a Sum equal to One Year's Contribution; and if above Five and under Fifteen Years younger than himſelf, ſhall pay a Sum equal to Two Years Contribution, which Payment ſhall be made over and above the Entry Money and Quarterly Contributions aforeſaid, and ſhall be payable immediately after Marriage, with Intereſt at the Rate of Five Pounds *per Centum* until paid; and from thoſe who ſhall marry after the paſſing of this Act ſuch Payments ſhall be

be made One Year after their Marriages ſhall take place reſpectively, with Intereſt at the Rate of Five Pounds *per Centum* thereafter until paid: Provided always, that Contributors who are unable to pay this Marriage Contribution, ſhall pay Intereſt thereon in addition to each of their Quarterly Payments, and the Principal ſhall be deducted from the firſt Half-year's Annuities which their Widows may be entitled to claim.

Annuities to Widows.

VII. And be it enacted, That every Widow of a Contributor who ſhall have paid Thirteen Years' Contribution before his Deceaſe ſhall be entitled to an Annuity of Twenty Pounds Sterling *per Annum* for the firſt Four Years, and thereafter during her Widowhood, Forty Pounds Sterling *per Annum*, or ſuch other Sum as the Intereſt of the Fund can afford, to be declared from Time to Time at ſome Quarterly Meeting of the ſaid Incorporation, and that at Two Terms in the Year, *Whitſunday* and *Martinmas*, by equal Portions, beginning the firſt Term's Payment at the firſt of theſe Terms which ſhall happen after the Deceaſe of her Huſband: Provided always, that in the Event of any Widow of a Contributor not reſiding within the City of *Edinburgh*, or the Liberties thereof, ſhe, along with her Receipt for her Half-year's Annuity, muſt produce a Declaration, ſigned by the Miniſter and Elders of the Pariſh where ſhe reſides, certifying not only that ſuch Widow is in Life, and unmarried, but alſo that ſhe is the Widow of a deceaſed Contributor, otherwiſe no ſuch Widow ſhall have any Claim to the Benefit of this Scheme, and which Annuities are hereby declared Alimentary, and no Ways to be affected or attached by the Diligence of Creditors: Provided further, and in order to prevent the Funds from being hurt by Perſons marrying, or declaring a Marriage when on Death-bed, or in a dying Condition, it is hereby declared, that no Widow who ſhall not have been married at leaſt Six Months before the Death of her Huſband, ſhall have any Benefit from the Fund, unleſs it ſhall be made to appear that her deceaſed Huſband at the Time of ſuch Marriage was in good Health.

Proviſion in caſe of a Contributor dying, who ſhall have paid Four Years' Contributions.

VIII. And be it enacted, That although no Widow ſhall be entitled to an Annuity from this Fund whoſe Huſband ſhall not have paid Thirteen Years' Contributions before his Death, yet if the Widow of any Contributor who ſhall himſelf have paid Four Years' Contribution, or more, but who ſhall happen to die without having paid Thirteen Years' Contribution, ſhall pay to the Perſon or Perſons authorized to receive the ſame, ſuch Sum as, with the Contributions paid by her Huſband, will amount to Thirteen Years' Contribution, in that Caſe ſuch Widow ſhall come upon the Fund, and be entitled to the Firſt Half-year's Annuity which ſhall be payable at the Firſt Term of *Whitſunday* or *Martinmas* after the Death of her Huſband, and be entitled to the alimentary Annuity hereby granted for Life, or until ſuch Widow ſhall marry again; and further, that it ſhall be in the Power of every Contributor who ſhall ſurvive the Term at which the laſt Quarterly Contribution of his Fourth Year falls due, to pay into the Fund ſuch a Sum as, with the previous Payments made by him, ſhall be equal to Thirteen Years' Contribution; and if any of the preſent or future Contributors ſhall happen to die previous to the Fourth Year being completely elapſed,

neither their Widows nor Children shall be entitled to any Benefit from this Scheme, but shall be entirely excluded therefrom.

IX. Provided nevertheless, and it is hereby expressly enacted, That Seven complete Years must elapse from the Date of Admission of any Contributor to the said Scheme before his Widow shall begin to receive an Annuity from this Fund; any Thing in this Act to the contrary notwithstanding.

How Arrears of Contributions are to be deducted from Annuities.

X. And be it enacted, That there shall be no Deduction upon any account from the Widows' Annuities the first Year after they shall have come upon the Fund; but that the Arrears of Contributors shall be paid by deducting a Sum not exceeding One-third of the Annuity each subsequent Year till the said Arrears shall be paid up.

In case of Members Forty Years old admitted since Candlemas 1804, dying before paying Thirteen Years' Contributions.

XI. And be it enacted, That if any Person admitted a Member of the said Incorporation since the Term of *Candlemas* One thousand eight hundred and four, who at the Time of his Admission to this Scheme, shall have been Forty Years of Age or upwards, and shall happen to die leaving a Widow before he shall have paid, or shall have become liable to pay Thirteen Years' Contribution, in that Case there shall be retained out of the Annuity payable to his Widow such Sum as, together with the Sums paid by him, without computing Interest thereon, shall amount to Thirteen Years' Contribution, *videlicet*, Seventy-eight Pounds Sterling.

Application of Contributions.

XII. And be it enacted, That the whole annual Contributions payable by Contributors, and the Sums payable out of the Corporation Stock for the first Thirteen Years, shall be applied by Trustees, appointed in Manner after mentioned, (after Payment of the Expence of Management,) towards raising a Capital Stock of Eleven thousand Pounds Sterling; and that said Stock shall be increased Two hundred and fifty Pounds Sterling for each Contributor above the Number of Forty; and after said Thirteen Years, and for ever afterwards the whole annual Contributions by Individuals, and by the Incorporation, together with the Produce of the Capital, as then raised, shall be applied annually by the said Trustees; in the first Place, in Payment of the Expence of Management; in the second Place, in Payment of Thirty Pounds towards increasing the Capital; in the third Place, in Payment of the Annuities due to Widows; and in the last Place, the whole Remainder towards increasing the Capital: And if it shall so happen that the whole Produce of the Capital and Contributions shall in any Year be insufficient for defraying the annual Burdens and Purposes of the Scheme, still no Encroachment shall, on that account, be made upon the Capital so far as then raised, nor shall the further raising thereof in Manner before mentioned be on that account stopped or retarded, but such Deficiency shall be made up either in Whole or in Part by enlarged Contributions from the Incorporation Funds, or by equal Deductions from the Annuitants; and when the Capital shall be completed to the said Sum of Eleven thousand Pounds, if the whole annual Income shall be more than sufficient to answer the Purposes of the Scheme, then and in such Case it shall be in the Power of Three-fourths of the Contributors to make such Addition to the Annuities payable

payable to the Widows then on the Fund, or to make such Provision for decayed Members or Orphans of Members as to them may appear most proper; providing always, that by such or any other Means the Capital shall never be encroached upon or diminished.

In case a Widow shall marry.

XIII. And be it enacted, That if a Widow on the Fund shall marry, having at the same Time One or more Children under Twelve Years of Age, then and in that Case her Annuity shall cease and determine at the Term of *Whitsunday* or *Martinmas* immediately preceding her said Marriage, and that each of her said Children shall be entitled to Ten Pounds *per Annum* until they be Fourteen Years of Age; providing always, that the Allowance to the said Children shall not in any Case exceed the Annuity their Mother would have been entitled to if she had remained unmarried; and if any such Children shall be provided for in Hospitals, the Allowance to every such Child shall instantly on their Admission to an Hospital cease and determine.

In case a Contributor shall allow his Contributions to remain unpaid.

XIV. And be it enacted, That if any Contributor shall, at any Time during his Life, allow his annual Contribution to run on unpaid for Three Years, his Widow shall forfeit the Annuity she would have been entitled to after his Decease; and in the Event of any Contributor dying, who shall have allowed his annual Contribution to have remained unpaid for a shorter Period at the Time of his Death, a Sum equal to such Arrear and Interest shall be deducted from the Annuity of the Widow of such Contributor, in such Proportions as the Trustees to be appointed in Manner hereafter mentioned shall think fit: Provided always, that such Contributor shall nevertheless be obliged to pay the aforesaid annual Rates in arrear, and shall also continue liable in Payment of his annual Rates during Life: because if such Forfeiture shall exempt either from Payment of the annual Rates in arrear, or the Rates that might thereafter fall due, some Contributors might voluntarily incur the Forfeiture, whereby the Scheme would be deprived in so far of its proper Support; but in case it shall appear to the Contributors, at a General Meeting assembled, where at least Three-fourths of them shall be present, that the Failure in Payment by any Contributor was occasioned not with a View to injure the Fund, but from the Decay of Business, or other Misfortunes, it shall be competent for such Meeting to allow the Child or Children of such Contributor, in case he shall die a Widower, to draw the Provisions hereby allowed to a Child or Children, after deducting therefrom a Sum equal to the Arrears of such Contributor, and Interest thereon; and in case such Contributor shall leave a Widow, to enter her on the Roll of Annuitants, and as soon as the Annuity that would have become due to her had there been no Forfeiture or Arrears shall amount to a Sum equal to these Arrears, and Interest calculated in a progressive Account, thereafter to pay to her such Annuity in the same Manner as if there had been no Forfeiture.

None but Contributors to have any Vote relative to the Fund.

XV. And be it enacted, That no Member of the said Incorporation who is not a Contributor to this Fund, shall have any Vote in the Management of this Scheme, or in any Thing relative thereto; neither shall a Contributor be entitled to a Vote so long as he shall be in arrear in any Manner of Way to the Fund.

XVI. And

XVI. And be it enacted, That the preſent Clerk of the ſaid Incorporation ſhall have it in his Option to become a Contributor to this Scheme, and to be entitled to the Benefit thereof, upon the ſame Terms with the Members of the Corporation; but no future Clerk ſhall be entitled to that Privilege, except with the Approbation and ſpecial Allowance of Three-fourths of the Members of the Corporation, Contributors to the Scheme, ſignified at a General Meeting, and within One Year after his Admiſſion. Clerk of the Incorporation may be a Contributor.

XVII. And be it enacted, That there ſhall be elected out of the Number of Contributors Seven Truſtees, Three to be a Quorum, to be called "Truſtees of the Widows' Scheme of the Incorporation of Bakers of the City of *Edinburgh*;" and they ſhall have Power to elect a Preſes at every Meeting, who in caſe of an Equality of Votes in any Queſtion, ſhall have the caſting Vote as Preſes, beſides his Vote as a Truſtee; that ſaid Truſtees ſhall have Two ſtated Meetings in each Year; the Firſt to be held on the Second *Friday* of *July*, for making up a Liſt of the Widows entitled to Annuities, on the Second *Friday* of *Auguſt* thereafter, which Liſt ſhall lie open to the Inſpection of all Parties intereſted, in the Clerk's Hands, and the ſaid Parties may give in their Objections in Writing, if they any have, to be by him laid before the Truſtees for their Determination, at the Second ſtated Meeting, which ſhall be held on the Second *Friday* of *January* yearly; that beſides the foreſaid Two ſtated Meetings, they may hold ſuch occaſional Meetings as Circumſtances may require, which the laſt Preſes either of himſelf or upon the Application of any Two of their Number, ſhall have Power to call: that One of theſe Seven Truſtees, firſt elected, ſhall go out of Office yearly, and afterwards the eldeſt in the Liſt; and that a Truſtee ſhall be elected in his Place by the Contributors at their General Meeting, in the laſt Week of *July*; but that notwithſtanding of the ſaid general Rule, if a Majority of the Contributors incline to continue any Truſtee in Office, when it ſhall come to his Turn to be removed, they ſhall be at Liberty to do ſo; which Truſtee ſhall then be conſidered as the youngeſt, ſhall be placed laſt in the Liſt, and continue in Office during the ſame Period as if he had been elected the firſt Time; that if a Vacancy ſhall happen by Death or Demiſſion of any of the original or future Truſtees, or in any other Manner of Way than as aforeſaid, or in caſe the one elected ſhall decline to accept, another ſhall be elected in his Place: Provided always, that it ſhall not be competent to elect any Perſon as Truſtee but one of the Contributors; and no Election of a Truſtee ſhall be made but at a General Meeting of the Contributors, regularly called by Billets left at their reſpective Dwelling-houſes, at leaſt Two Days previous to the Meeting; and if any Truſtee ſhall be abſent from a Meeting, to which he was regularly ſummoned, he ſhall forfeit and pay One Shilling to the Collector, to be applied by him to the Uſe of the Scheme, unleſs he ſatisfy the Truſtees, at the next or ſome after Meeting, that his Abſence was occaſioned by Indiſpoſition. Election of Truſtees.

XVIII. And be it enacted, That the Sums to be applied for raiſing the Capital ſhall be inveſted in Government Stock, or lent out by the Truſtees from Time to Time upon ſuch Real or Perſonal Security as they ſhall judge ſufficient, and beſt for the Intereſt of the Fund; the Bonds and other Monies raiſed to be laid out.

other Securities for the ſame to be taken payable to the ſaid Truſtees, or any Three of them, and to their Succeſſors in Office; and the ſaid Truſtees for the Time being, or any Three of them, ſhall have Power to aſſign and diſcharge the ſaid Bonds or other Securities, and to ſuit all Manner of Execution neceſſary for recovering Payment thereof, or concerning the ſame, any Manner of Way: Providing always, that no Money belonging to the ſaid Fund ſhall be lent by the ſaid Truſtees to any Member or Members of the Incorporation, upon any account whatſoever: that the Contributors ſhall chooſe a Collector and Clerk to the Scheme, to continue in their Offices reſpectively during the Pleaſure of the Contributors, with ſuch Salary and Allowance for Trouble as the Contributors ſhall think proper; both of which Offices may be filled by one Perſon, if the Contributors ſhall judge proper; which Collector ſhall have Power to carry on all Suits for Recovery of the annual Rates, and all other Sums payable for the Support of the Fund, and all Arrears, that may be due by any Contributor at the Time of his Deceaſe, and ſhall retain, at the Sight and Direction of the Truſtees, from the Widows' Annuities, ſuch Sum as ſhall be due by their reſpective Huſbands, or their Heirs and Executors, which ſhall not or cannot be recovered from them, upon aſſigning to ſuch Widow ſuch Debt: and that the Collector ſhall, on his Admiſſion to the Office, grant Bond, with a ſufficient Cautioner to the Contributors to the Extent of One hundred Pounds Sterling for the faithful Diſcharge of his Office, and ſhall ſubſcribe all the Receipts for the annual Contributions and for the annual Sums paid by the ſaid Incorporation, and keep regular Books, ſhewing the State of the Funds under his Management, in ſuch Manner as the Truſtees ſhall appoint; and the Clerk ſhall alſo keep a Book for recording the Sederunts of the Truſtees, which Book ſhall always be open to the Inſpection of every Contributor, and the Collector ſhall exhibit to the Contributor, at a General Meeting to be held on the laſt Weeks of *July* and *January* Half-yearly, a State of the Funds under his Management, and an Account of the Sums received by him for the preceding Half-year, and the Application of the ſame; which Meeting ſhall have Power to audit and paſs the ſaid Accounts, and diſcharge him and his Surety of the Sums accounted for.

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