

ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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other Parts of *Scotland*, and in *England*, *Ireland*, and the Colonies: And whereas it would be advantageous to the said Society and beneficial to the Public if the said Society were incorporated for the Purposes aforesaid, with Power to sue and be sued, to invest Monies and Funds, and to take, hold, and transfer Property and Securities, Real and Personal, and with such other Powers and Privileges as may be necessary for enabling the said Society more effectually to conduct and carry on Business; but these Objects cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said *Scottish Amicable* Life Assurance Society, now carrying on the Business of Life Assurance in its various Branches, and the present and all succeeding Members thereof, shall be and are hereby united and incorporated into One Body Politic and Corporate by the Name and Style of "The *Scottish Amicable* Life Assurance Society," and by that Name shall have perpetual Succession and a Common Seal, with Power to change, break, and make new the same from Time to Time, and shall be entitled to carry on the Business of effecting Assurances on Lives and Survivorships, and purchasing and selling Annuities and Reversions, and in general to carry on all the Business connected with a Life Assurance Society in all the various Branches thereof in any Part of Her Majesty's Dominions of *Great Britain* and *Ireland* and the Colonies, or elsewhere, and with and under the Conditions and Declarations and Powers and Privileges herein-after set forth, and the Society shall continue incorporated until dissolved in Terms of the Regulations of the Society.

Incorporation of the Society.

Liability of Members of the Society to continue.

II. And be it enacted, That neither the Incorporation of the Society nor anything herein contained shall in anywise restrict the Liability of any of the Members of the Society under any Judgment, Decree, or Order for the Payment of Money which shall be obtained against the Society or any of the Members thereof in any Action or Suit prosecuted by or against the Society in any Court of Law or Equity, but every such Member shall in respect of such Monies be and continue liable as he would have been if the Society had not been incorporated: Provided always, that it shall be lawful for the Society, in all Policies, Contracts, and Agreements which they may enter into, to make such special Conditions and Provisions, and such Limitations of the Liabilities of the Members thereof, as the Society may think fit.

Contracts and Obligations and Deed of Constitution and Laws of the Society to remain valid.

III. And be it enacted, That nothing herein contained shall relieve or discharge the Society, or any Member thereof, from any Contract, Responsibility, Debt, Engagement, or Obligation to which the said *Scottish Amicable* Life Assurance Society, or any Member thereof, is now or shall be hereafter liable, but the same shall continue as if the said Society had not been incorporated under this Act; and nothing herein contained shall be held to invalidate or affect the Deed of Constitution and Articles and Regulations of the said Society, or any of the Powers therein contained, or any of the Bye Laws or other Alterations of the Deed of Constitution, made or to be made in virtue

virtue of the Powers given by the said Deed, excepting in so far as the same are expressly altered or varied by this Act, or are contrary to the true Intent and Meaning thereof; and the Society and the Directors thereof shall have the same Powers as they at present have, under the said Deed of Constitution and Articles and Regulations and Bye Laws, to make Bye Laws, or new Laws, Rules, and Regulations; and the said Deed of Constitution, Articles, and Regulations, Powers therein contained, and Bye Laws or other Alterations of the said Deed of Constitution, made or to be made, shall be as obligatory on the Members of the Society and all other Persons as if this Act had not been passed, provided the same be not inconsistent with the Provisions of this Act, nor contrary to the true Intent and Meaning thereof.

Place of Business, and Power to appoint local Directors and Agents.

IV. And be it enacted, That the Business of the Society shall be carried on in a Place of Business within the City of *Glasgow* or the Parliamentary Boundaries thereof, approved of by the Directors, and which shall be the principal Office of the Society; and the Directors shall have the Management and Superintendence of the Business and Affairs of the Society, and full Power and Authority to purchase or take on Lease other Places of Business, and to nominate and appoint local Directors and Agents at such Places within *Great Britain* and *Ireland*, and the Colonies, or elsewhere, as they shall judge expedient; and the Duties, Powers, and Remuneration of the local Directors and Agents shall be under the Control and Regulation of the Directors.

Property vested in the Society, and existing Policies and other Obligations, to be valid.

V. And be it enacted, That all Property, Heritable and Moveable, Real and Personal, wheresoever situated at the Time of the passing of this Act, and all Bonds, Bills, Promissory Notes, Dispositions, Mortgages, Bonds, and Grants of Annuity, Warrants of Attorney, Conveyances, Assignments, Charters, Sasines, Agreements, and other Deeds and legal Instruments, and all Assurances, Judgments, Decrees, or Writings, of what Kind or Nature soever, with the Lands, Subjects, Property, Sums of Money, Stocks, and other Matters and Things therein contained, which have already been taken to or executed or conceived in favour of the said *Scottish Amicable* Life Assurance Society, or of the Directors or any of them, or the Manager, or any Persons, as Trustees or otherwise for the Use or Behoof of the said Society, whether the same are held absolutely or in Security, and in general all Estate and Effects, and all Debts, Obligations, Rights, and Interests of every Description belonging to the said Society, or vested in any Person for the Benefit of the said Society, at the Time of the passing of this Act, shall be and the same are hereby transferred to and vested in the Society hereby incorporated, as fully as if the same had been made, granted, and taken after the passing of this Act, and the same shall in future be held, managed, sold, granted, conveyed, assigned, leased, released, discharged, sued for, or otherwise used and disposed of by the Society, under the corporate Name of "The *Scottish Amicable* Life Assurance Society," without the Necessity of any connecting or continuing Title or separate Investiture, or Writing or Procedure, other than this Act; and in like Manner all Policies, Bonds, and other Obligations, of what Nature soever, made, granted,

or

or issued by the said *Scottish Amicable* Life Assurance Society, or by the Directors and Officers thereof in Name and Behalf of the same, and generally all Debts and Liabilities existing against the said Society at the Time of the passing of this Act, shall be and the same are hereby declared to be valid and subsisting against the Society hereby incorporated, and the Funds and Property of the Society, in the same Manner and as effectually as if this Act had not been passed.

Society may sue and be sued.

VI. And be it enacted, That it shall be lawful for the Society, in all Matters and Proceedings whatsoever, to use the said Name of "The *Scottish Amicable* Life Assurance Society," and the Society shall and may by that Name sue and be sued, plead and be impleaded, petition and be petitioned against, answer and be answered unto, defend and be defended, prosecute and be prosecuted, in all and every Courts and Court, and charge and be charged in any Part of the United Kingdom of *Great Britain* and *Ireland* and the Colonies, or elsewhere, and shall have Power to issue Policies of Assurance, enter into Contracts, Agreements, and all other Deeds or Writings in any way connected with or relating to the Business or Affairs of the Society, and generally to transact such Business and Affairs in every and any Part of the United Kingdom of *Great Britain* and *Ireland* and the Colonies, or elsewhere.

Funds may be invested in Name of the Society or of Trustees.

VII. And be it enacted, That the Ordinary Directors may when they think proper cause any of the Funds or Property at present laid out and invested to be disposed of, called in, or otherwise converted into Money; and the Money arising therefrom, and the other Funds or Property of the Society, so far as the same shall not be required to satisfy the immediate Claims upon and Expenses of the Society, may be from Time to Time laid out and invested in the Name of the Society, or in the Name of Two or more Trustees on behalf of the Society, in or upon such Securities, Funds, Stocks, Revenues, Property, Estate, or other Investments as are or may be authorized and allowed by the said Deed of Constitution, or by any Bye Laws, Rules, or Regulations made or to be made under and by virtue of the same; and the Ordinary Directors may, when they think proper, cause any of the Funds or Property so laid out and invested to be disposed of, called in, or otherwise converted into Money, and the Money arising therefrom to be again laid out and invested, and so from Time to Time as Occasion may require: Provided always, that it shall be in the Power of the Ordinary Directors to set apart such Sums as they may think proper for answering the current Business and Expenses of the Society, and which Sums shall be kept in such Banks or Banking Companies as the Directors shall appoint.

Power to lend Money upon Security of Lands, and to acquire and hold Lands.

VIII. And be it enacted, That it shall be lawful for the Society from Time to Time to lend or advance any Monies, or Stock in the Public or Parliamentary Funds, or other Stock or Property, belonging to the Society, upon Mortgage or Security of any Lands, either in Fee Simple absolute or in Security or under Reversion, or for any less or other Estate, or upon Mortgage or Security of any Canals, Railways, Rates, Tolls, or other Property arising or being within Her Majesty's Dominions, and to accept of and take from any Persons or Bodies Politic

Politic or Corporate Mortgages, Heritable Bonds, or Bonds and Dispositions in Security, or absolute Conveyances qualified by Back Bonds, or such other Securities as may be thought advisable, upon any such Lands, Canals, Railways, Rates, Tolls, or other Property, as Securities for the Repayment of the Money lent or advanced, and that the Lands, Canals, Railways, Rates, Tolls, or other Property to be comprised in any such Mortgage or Securities as aforesaid shall, according to the respective Tenures and Qualities thereof, be conveyed, surrendered, disponed, assigned, or otherwise assured to the Society, or to Trustees for the Society, their Heirs, Executors, Administrators, and Assigns, subject to a Proviso for Redemption or repaying or replacing at the Times to be appointed for that Purpose of the Money or of the Stock so to be advanced, and with Interest upon or in respect of such Money, or an Equivalent for the intermediate Dividends upon or in respect of such Stock, and also with or without additional Provisions or Trusts for the Sale of the Lands, Canals, Railways, Rates, Tolls, or other Property so mortgaged or secured, to take effect in the event of Nonpayment of the Money and Interest, or of the nonreplacing of the Stock and Equivalent for the Dividends thereof, after or within a given Period after the Time respectively appointed for the repaying or replacing of the same in the Proviso for Redemption herein-before referred to, and with or without any other Powers and Provisions as the Society shall think proper or be advised.

Society may bring Actions of Foreclosure of Mortgages.

IX. And be it enacted, That it shall be lawful for the Society to institute, bring, commence, and prosecute any Suit, Action, or other Proceeding in Her Majesty's High Courts of Chancery, or in any other Court within the United Kingdom having Jurisdiction in the Matter, for foreclosing the Equity of Redemption of any Lands, Canals, Railways, Rates, Tolls, and other Property which have been or shall be mortgaged or conveyed, surrendered, assigned, or otherwise assured to or in trust as a Security for the Repayment of any Sum of Money, or for the Reinvestment of any Stock which has been or shall be advanced or lent by or owing to the Society, and to obtain and prosecute to the End any Decree obtained in any such Action, Suit, or other Proceeding, and also to purchase or acquire the Equity of Redemption of any Lands, Canals, Railways, Rates, Tolls, or other Property which have been or shall be so mortgaged, conveyed, surrendered, assigned, or otherwise assured as a Security as aforesaid: Provided always, that as to any Mortgages or Securities which shall have become absolute or have been foreclosed previously to the passing of this Act, and also as to the Lands, Canals, Railways, Rates, Tolls, or other Property the Reversion or the Right or Equity of Redemption of which shall be foreclosed, purchased, or acquired as aforesaid under this Act, such Lands, Canals, Railways, Rates, Tolls, or other Property shall nevertheless be sold by the Order or under the Authority of such Courts or of the Society, by public Sale or private Contract, and in such Manner in all respects as the Society shall think proper: Provided also, that the Society shall not be required to sell as aforesaid Property consisting of Money, Stocks, or Funds which are or shall be of the Nature of Personal or Moveable Estate only.

Limitation of Period within which Lands may be sold.

X. And be it enacted, That the Sale of the Lands, Canals, Railways, Rates, Tolls, or other Property of which the Equity of Redemption shall be or shall have been so foreclosed or purchased or acquired, and which the Society are hereby required to sell as aforesaid, shall not be delayed beyond the Space of Five Years from the Time of Foreclosure, Purchase, or Acquisition thereof as aforesaid being completed, if the same shall take place after the passing of this Act, or within Five Years from the passing of this Act, if the same shall have heretofore been completed, but shall from Time to Time be made and completed within the Space of the said Five Years, as the Case may be, unless, by reason of Objections to Titles, Breach of Contract, or any Action, Suit, or other Proceeding at Law or in Equity, or on any other Account, the Completion of such Sale shall be unavoidably delayed or impeded, in which Case such Sale shall take place within Twelve Calendar Months next after such Impediment shall be removed; and if such Sale shall not be made within such Space of Five Years, or within Twelve Calendar Months after such Impediment shall be removed, such Lands, Canals, Railways, Rates, Tolls, or other Property shall be and become forfeited to Her Majesty, Her Heirs and Successors: Provided always, that the Enactments herein-before contained respecting Sales being required to be made, and Forfeiture in the event of such Sales not being made within a limited Period, shall not apply to any Houses or Property which the Society shall have acquired or shall acquire for the Purposes of their Business.

Society may hold Lands without Licence in Mortmain, subject to Provisions for Sale.

XI. And be it enacted, That, subject to the Provisions aforesaid, and for the Purpose of securing the Money advanced on the same according to such Provisions as aforesaid, the Society, or any Persons in trust for the Society, shall be able and capable in Law to hold, receive, possess, and enjoy any Lands, Canals, Railways, Rates, Tolls, or other Property so acquired, either absolutely and irredeemably, or redeemably and under Reversion only, or by way of Security for Annuities, or by way of Mortgage, and shall continue to hold and enjoy the same for the Purposes of and under the Provisions contained in this Act, without Licence in Mortmain, and without being liable to the Penalties and Forfeitures of the Statutes of Mortmain, or any other Penalties, Forfeitures, or Disabilities, any Law or Practice to the contrary notwithstanding.

Tables of the Society may be altered by the Directors.

XII. And be it enacted, That it shall be lawful for the Directors, if they shall think it expedient, to alter the Tables of the Society so as to make the same correspond with the Life Tables contained in the Reports of the Registrar General of Births, Deaths, and Marriages in *England* already issued, or with such amended Life Tables as may be contained in any future Reports to be issued by him, and to adopt such Life Tables or amended Life Tables in whole or in part for the future Assurances and Transactions of the Society.

As to the Undertaking of the Liabilities of other As-

XIII. And be it enacted, That it shall be lawful for the Ordinary Directors (Three Fourths of their Number agreeing and concurring) at any Time, with the Sanction of the Directors, to undertake, on behalf of the Society, the Payment of the Sums and Annuities respectively

respectively assured and granted by any Assurance Company or Society desirous of being dissolved, or of relinquishing the whole or any Part of their Business, and to make such Contracts and Arrangements with any such Company or Society for enabling the Ordinary Directors to complete such Undertaking, and to exonerate the Company or Society so dissolved or relinquishing Business from all further Liability in respect of the Sums and Annuities which the Ordinary Directors, on behalf of the Society, may have undertaken to pay, and to obtain from any such Company or Society a Transfer to the Society of so much of the Funds or Property of such Company or Society, as the Ordinary Directors shall think fit.

surance Companies relinquishing Business.

XIV. And be it enacted, That all Policies of Assurance, Bonds, Contracts, Agreements, Discharges, and other Deeds and Writings which require to be granted and executed by the Society, may be in Writing or printed, or partly in Writing and partly printed, and shall, after the same have been submitted to and approved of or sanctioned at a Meeting of the Ordinary Directors, be subscribed by any Two of the Ordinary Directors, and by the Manager or such other Officer as the Ordinary Directors shall appoint; and all Policies, Bonds, Contracts, Agreements, Discharges, and other Deeds and Writings so subscribed, shall be good, valid, and effectual, and binding and obligatory on the Society, although not under the Common Seal of the Society, and the Parties receiving the same shall not be bound or required to see that the same have been approved of or sanctioned by the Ordinary Directors as aforesaid; and in all Matters and Proceedings whatsoever, wherein it shall be requisite to make any Declaration or Affidavit by or on behalf of the Society, such Declaration or Affidavit may be made by any One of the Ordinary Directors, or by the Manager or such other Officer as the Ordinary Directors shall appoint, and the same when so made shall be sufficient.

As to the Execution of Deeds.

XV. And be it enacted, That every Intimation or Notice of the Assignment of any Policy shall be made either by Exhibition of the principal Deed or Instrument of Assignment, or, if registered in *Scotland*, of an Extract thereof, and by Delivery of a Copy of such Deed or Instrument, or of an Excerpt of so much thereof as relates to the Policy assigned, or of a Memorandum specifying the Names and Descriptions of the Party assigning and of the Assignee respectively, the Cause of granting or Consideration of the Assignment, the Number of the Policy assigned, and the Date of the Assignment, at the Office of the Society in *Glasgow*, to the Manager or other Officer acting for him for the Time being, and by a Docquet to be then endorsed upon the principal Deed so exhibited by the Manager or other Officer; or otherwise such Intimation or Notice shall be in Writing, and shall be served by being left in the Presence of a Notary Public and Two Witnesses, with a Copy of the Deed or Instrument of Assignment, at the Office of the Society in *Glasgow*, or by being given personally to the Manager or other Officer acting for him for the Time being; and every Arrestment in the Hands of the Society shall be served by the Copy and Execution thereof being left at the Office of the Society in *Glasgow*, or by being given personally to the Manager in *Glasgow* for the Time being.

Intimation of Assignments of Policies and Service of Arrestments.

XVI. And

Policies to be liable for Claims of the Society against Members.

XVI. And be it enacted, That the Policies belonging to any Member of the Society for the Time being, with the whole Profits and Emoluments belonging to the same, and the Interest which he has in the Society, shall be subject to and charged with and the same are hereby declared to belong to the Society, in Security of any Debts that may be owing by him to the Society, and in Security of the Performance and Observance on his Part of the Obligations come under by him to the Society, and the Ordinary Directors are hereby authorized and empowered to sell and dispose of the same as and when they shall think fit, with the Profits and Emoluments belonging thereto; but whenever an Assignation in favour of a Third Party has been intimated to the Society, no Debt subsequently contracted to the Society by the Member granting such Assignation shall compete with the same.

Execution of Assignments and Discharges of Policies.

XVII. And whereas many Persons who reside out of *Scotland* are now and hereafter may be Members of the Society, and Holders of or interested in Policies, and it would be attended with Inconvenience if Assignments and Discharges of Policies were in all Cases required to be executed according to the Law of *Scotland:* Be it enacted, That all Assignments and Discharges of Policies shall be valid and effectual if the same be executed by Parties resident in *Scotland* according to the usual Mode of executing Deeds or Instruments of a like Nature in *Scotland*, and by Parties not in *Scotland* either according to the usual Mode of executing Deeds or Instruments of a like Nature in the Places where the said Parties may be residing at the Time, or according to the usual Mode of executing Deeds or Instruments of a like Nature in *Scotland* or in *England*.

Receipts of Persons appointed by the Society to be a sufficient Discharge.

XVIII. And be it enacted, That in every Case in which any Money shall become payable to the Society, and also in any Case in which any Stock or other Property shall become transferable to the Society, the Receipt of the Person who shall be authorized or appointed by the Society, by any Instrument in Writing subscribed by Two of the Ordinary Directors and by the Manager or other Officer as aforesaid, to receive or accept the same, shall effectually discharge the Person paying or transferring the same from being answerable or accountable for the Misapplication or Nonapplication of such Money or Stock, or from being obliged or concerned to see to the Application of the same; and on the Death of any Party entitled to receive from the Society any Monies in respect of any Policy, such Monies may, on the Application of the Party legally entitled thereto, be paid by the Society (under Deduction of Discount) before the Time when the same would become payable in Terms of such Policy, and the Society shall be discharged by Payment of such Monies to any Person who shall be Executor or Administrator of the Deceased under any Probate or Letters of Administration obtained in *England* or *Ireland* or any of the Colonies, or under any Testament Testamentary or Testament Dative obtained in *Scotland:* Provided always, that in the Case of any Policy forfeited by Nonpayment of the Premium the Ordinary Directors may, if they think fit, allow any Sum not exceeding the Surrender Value of such Policy.

XIX. And

Society not to be bound by Trusts.

XIX. And be it enacted, That where any Policy has been granted or assigned to Trustees for or on behalf of any other Person, the Receipt of such Trustees or the Survivor of them for the Sums payable in respect of such Policy shall (unless the Society have received Notice from the Parties beneficially interested in such Policy, or some of them, not to pay to such Trustees or Trustee,) be a sufficient Discharge to the Society, and the Society shall not be bound to see to the Application of the Sums so paid to such Trustees or Trustee.

Representation of the Society in Matters of Bankruptcy.

XX. And be it enacted, That if any Person against whom the Society shall have any Claim or Demand become bankrupt, or apply for or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Manager or other Officer of the Society, authorized to that Effect by a Minute of the Ordinary Directors, to represent the Society in all Proceedings against the Estate of such Person, or under any Sequestration, Fiat, Process of Cessio bonorum, Trust, or Act of Insolvency against such Person, and to make Affidavit or Declaration and to vote and otherwise act on behalf of the Society in all respects as if such Claim or Demand had been the Claim or Demand of such Manager or other Officer; and an Extract of such Minute, certified under the Hand of any Three Ordinary Directors, shall be taken and received in all Courts whatsoever as sufficient Evidence of the Authority and Right of such Manager or other Officer so to act and represent the Society.

Indemnity to Directors of the Society.

XXI. And be it enacted, That the Directors shall not be liable for Omissions, or for the Sufficiency either in Value or Title of the Property or Securities on which the Funds of the Society have been or may be invested, or for the Acts or Intromissions of the Manager, Agents, or other Officers of the Society, or for any other Person intrusted with the Money or Business of the Society, nor shall they be liable *singuli in solidum*, or for the Acts or Intromissions of each other, nor shall the Directors, by being Parties to or executing in their Capacity of Directors any Policy, Contract, or other Deed or Instrument on behalf of the Society, or otherwise lawfully executing any of the Powers given to the Directors, be subject to be sued or prosecuted, either individually or collectively, by any Person whomsoever, and the Bodies or Goods and Lands of the Directors shall not be liable to Execution of any legal Process by reason of any Policy, Contract, or other Deed or Instrument so entered into, signed, or executed by them, or by reason of any other lawful Act done by them in the Execution of any of their Powers as Directors; and the Directors, their Heirs, Executors, and Administrators, shall be indemnified by the Society for all Payments made or Liability incurred in respect of any Acts done by them, and for all Losses, Costs, and Damages which they may incur in the Execution of the Powers granted to them, and the Directors may apply the existing Funds of the Society for the Purpose of such Indemnity; and all Acts done by any Meeting of the Directors, or any Persons acting as Directors, shall, notwithstanding it may be afterwards discovered that there was some Defect in the Appointment of any such Directors or Persons acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such Person had been duly appointed and was qualified to be a Director.

Society to be subject to Jurisdiction of Superior Courts in England and Ireland.

XXII. And be it enacted, That the Society shall be amenable to the Jurisdiction of the Superior Courts of Common Law and Equity at *Westminster* in reference to any Policies or other Engagements entered into with Parties described therein as of any Place in *England*, and to the Jurisdiction of the Superior Courts of Common Law and Equity in *Ireland* in reference to any Policies or other Engagements entered into with Parties described therein as of any Place in *Ireland*, in the like Manner as if the Domicile of the Society were in *England* or in *Ireland* respectively; and that any Judgment or Rule of any of the Superior Courts of Common Law at *Westminster*, or any Decree or Order of the High Court of Chancery, or of any Court of Equity or Bankruptcy, recovered, made, or pronounced against the Society in such Cases, shall have the same Effect and Operation against the Society as if the same were domiciled in *England* or in *Ireland* respectively; and in such Case any Summons or Notice, or any Writ or other Proceeding at Law or in Equity, requiring to be served upon the Society, shall be served in the Manner herein-after provided: Provided always, that the Proceedings in any Action or Suit by or against the Society, or the Officers or any One of the Members of the Society, in which the Merits in respect of the Demand thereby sought to be enforced, or of the Cause of Action or Suit to be determined, shall have been tried and determined, may be pleaded in Bar of any other Action, or in Defence against any other Suit, for the same Cause, Matter, Thing, or Demand, against the Society or any Officers or Members thereof.

Service of Writs and Notices on the Society.

XXIII. And be it enacted, That any Summons or Notice, or any Writ or other Proceeding at Law or in Equity, requiring to be served upon the Society, may be served by being given personally to the Manager at *Glasgow*, or in case there be no Manager, to any One of the Ordinary Directors at *Glasgow*, or by being left at the principal Office of the Society at *Glasgow*.

Disputes in reference to any Policy may be settled by Arbitration.

XXIV. And be it enacted, That in the event of any Dispute arising between the Society and any Person assured therein, or the Heirs, Executors, Administrators, or Assigns of such Person, relative to any Assurance or Policy, it shall be lawful to such Person, by a Notice in Writing subscribed by him, and to be served on the Society in the Manner provided by this Act, to require that such Disputes be settled by Arbitration, and to nominate for that Purpose an Arbiter on his Part, and to require that unless the Society shall concur in the Appointment of the Arbiter so nominated by such Person the Society shall nominate and appoint an Arbiter on their Part; and thereupon and thereafter, if the Dispute be in regard to any Policy entered into with any Person who at the Date of such Policy was described to have been resident in *Scotland*, or in any Place other than *England* or *Ireland*, or if the Procedure in the Arbitration shall take place in *Glasgow*, as herein-after provided, the Nomination of an Arbiter on the Part of the Society, and the whole Procedure, shall be regulated and carried on in the Manner observed in Arbitrations in *Scotland*, and the Arbiters, in case of Difference of Opinion, shall have Power to appoint an Oversman, and the final Award or Decree Arbitral shall be pronounced within Twelve Months from the last Date of the Deed

Deed of Submission; but if the Dispute be in regard to any Policy entered into with any Person who at the Date thereof was described to have been resident in *England* or *Ireland*, and the Procedure in the Arbitration shall take place in *London* or *Dublin*, as herein-after provided, the Nomination of an Arbitrator on the Part of the Society and the whole Procedure shall be regulated and carried on in the Manner usual in Arbitrations in *England* or *Ireland*, as the Case may be, and the Arbiters, in case of Difference of Opinion, shall have Power to appoint an Umpire, and the final Award shall be pronounced within Twelve Months from the last Date of the Deed of Reference or Arbitration: Provided always, that the Person desiring such Arbitration shall give Notice to that Effect previous to any Action or Suit being instituted in any Court in respect of such Dispute, and it shall not be lawful to give such Notice after the Institution of such Action or Suit; and in all Cases of Arbitration the Society shall be bound to appoint an Arbiter or Arbitrator on their Part within Three Weeks after Requisition shall have been served on the Society: Provided also, that the Arbiters or Arbitrators, or Oversman or Umpire, as the Case may be, shall hold his or their Meetings in *London* or *Glasgow*, in the Option of the Person desiring such Arbitration regarding any Policy entered into with any Person described therein as resident in *England*, or in *Dublin* or *Glasgow*, in the Option of the Person desiring such Arbitration regarding any Policy entered into with any Person described therein as resident in *Ireland*, and in *Glasgow* in all other Arbitrations.

Short Title.

XXV. And be it enacted, That in citing this Act in other Acts of Parliament, and in all legal Deeds, Instruments, and Proceedings, it shall be sufficient to use the Expression "The *Scottish Amicable* Life Assurance Society's Incorporation Act, 1849."

Interpretation of Terms.

XXVI. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

Words importing the Singular shall include the Plural Number; and Words importing the Plural shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Lands" shall extend to and include Houses, Lands, Feu Duties, Ground Annuals, Ground Rents, Patronages, Teinds, Fishings, Waters, Mines, Minerals, Tenements, Messuages, and Hereditaments of every Description, Tenure, and Quality, and Freehold, Leasehold, Copyhold, or Customary Estates, whether in reversion, remainder, or otherwise, situated either in *Great Britain* and *Ireland* or in any Part of Her Majesty's Dominions:

The Expression "the Society" shall mean "The *Scottish Amicable* Life Assurance Society" incorporated by this Act:

The Word "Directors" shall mean the Ordinary and Extraordinary Directors, including the Presidents and Vice Presidents of the Society:

The Expression "Ordinary Directors" shall mean the Ordinary Directors of the Society for the Time being:

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The Word "Manager" shall mean the Manager of the Society for the Time being:

The Words "Policy" or "Policies" shall mean and include all Policies of Assurance granted by the said *Scottish Amicable* Life Assurance Society prior to the passing of this Act, or by the Society hereby incorporated after the passing of this Act.

Society not exempt from Provisions of future general Acts.

XXVII. And be it enacted, That nothing herein contained shall be deemed to exempt the Society from the Provisions of any general Act which may be passed during the present or any future Session of Parliament affecting Insurance Companies or Societies formed previous to the passing of such general Act.

Public Act.

XXVIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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