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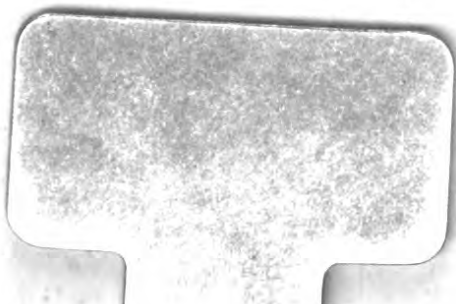
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S.A. 1830

A DIALOGUE

BETWEEN

A MEMBER OF A FRIENDLY SOCIETY

AND THE AUTHOR ;

WHEREIN THE

ACT 10 GEO. IV., CAP. 56,

IS CALMLY DISCUSSED,
AND DEMONSTRATED TO BE INEFFICIENT.

TOGETHER WITH

DRAFT NEW CLAUSES AND SECTIONS

PROPOSED TO BE SUBSTITUTED;

AND

EXTRACTS FROM PETITIONS

ALREADY PRESENTED TO PARLIAMENT ON
THE SUBJECT.

BY JAMES WRIGHT ;

*Author of a Treatise on the Internal Regulations of
Friendly Societies.*

“As ye would that men should do to you, do ye even so to them.”

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DIALOGUE, &c.

PREFATORY to the following considerations, advanced for the benefit of Friendly Societies in the way of dialogue, a mode calculated, as I conceive, to arrest and fix the attention more easily and familiarly to the subject; allow me to address the Reader, assuming that he is a member of a Friendly Society, and remind him that upon his admission, he was recognized as the friend to every social and moral virtue, whose chief aim, in common with his fellow-members, was to furnish mutual aid in the time of sickness and advanced age, as well as to provide, after death, some suitable relief for his widow and children, or other relatives. Other kind offices were contemplated; such as recommending each other in business, imparting little friendly aids and assistance which circumstances might render necessary: recollecting that friendly conduct always produces reciprocal feelings, so that the serene countenance of friendship is seen in every member of each separate community whose conduct is thus regulated.

Now a common fund thus raised, if regulated by a just scale of subscriptions and benefits, is, doubtless,

calculated to be of great utility; but if, on the other hand, such scale is not adopted, I must frankly tell you that the union of Friendly Societies is a public evil; because it tends to delude the unwary with airy promises of relief, in order to desert them in the hour of affliction and death. I am sorry to add that very many melancholy cases of this kind have come under my own observation; and one of my objects in the publication of my "Treatise on the Internal Regulations of Friendly Societies," was to warn you against these evils, which I take for granted has been already purchased by your society, and that you have either read or intend to read it. That must serve as my excuse for the brief way in which I shall treat of the question now brought before you, because this pamphlet is not intended to supersede my former "Treatise," and "Letter," but rather to urge the facts, therein contained, to your calm and dispassionate investigation.

The writer addresses you in the friendly spirit of an Advocate. He has assumed that the Reader is already a member of a friendly society; and although he is your compeer, his assigned task is somewhat difficult; but his ardent zeal for your personal welfare, will at least bespeak your kind attention, and induce you to sit down, and, with candour, peruse the following considerations. With a view to open the matter in a just point of view, he will commence the dialogue by proposing a question to you, after which he will allow you to become his examiner in your own way, or as near thereto as may be, viz. :—

Q. 1. What are the legal principles contained in the rules of your society?

A. Really, Sir, you have started the subject with a very difficult question ; for it happens that a certain construction is put upon the most material parts of our rules on that head by one member of our society, while a contrary construction is insisted upon by a second, a third urges that the first mentioned two are egregiously in error, while a fourth vituperates that all are wrong, and then in steps a fifth to calm the strife, and very modestly, yet boldly maintains, that neither of the former understood a tittle of what they were talking, nay, in some cases, goes the length of asserting that they did not understand plain English ; and so on, in some cases, to a tenth disputant.

Reply. I admit that statement is correct ; and now I will suffer you, as I said, to ask me what questions you please.

Q. 2. Will you then be kind enough, Sir, to inform me, how the above mentioned evils arise ?

A. Yes, if you will sit down, and, as I stipulated, maintain an even and unclouded visage indicative of a good temper, a very useful companion in discussing grave matters, I will endeavour to do so.

Q. 3. Interrupting you, Sir, allow me to waive my last question for the present, and tell you generally the particular points upon which I seek information from you, viz. :—How the evils adverted to in my answer to your first question can be remedied : and at the same time show to me what maxims my own society should adopt by its rules in order to enforce every legal and moral principle contained in them, as well in behalf of the society, as of each oppressed member and his representatives, because, if you make this plain to me, I will instantly urge the calm and dispassionate consideration of

the subject until just principles are established by our rules. And I wish likewise to be informed what bearing the principles contained in the act 10 Geo. IV., Cap. 56, have upon the above points ?

A. I will endeavour to answer these proper inquiries to your satisfaction, premising that the two grand points in our discussion will, as I apprehend, resolve themselves into the following considerations :—First, what are the principles contained in those portions of the act, which are, as its advocates contend, “the highest point of perfection in human legislation ;” in discussing which I shall make all just concessions : and Secondly, what is defective and mischievous, what is necessary to be repealed : and also what new clauses and sections are necessary to be introduced in order to arrive at perfection.

In treating of the above questions, on which so many eminent statesmen and other friends of these highly useful institutions have erred, it is my fixed purpose to defend what is just, while at the same time, I temperately, but firmly demonstrate, what is defective and injurious. Let us consider, then :—

1st. *What are the principles contained in those portions of the act, 10 Geo. IV., Cap. 56, which are, as its advocates contend, “the highest point of perfection in human legislation.”*

And, in order that we may have a correct view of this question, I propose to show, 1st,—That the benevolent designs of the projectors of the act, relative to the preparation of correct tables of subscriptions and insurances, is rendered nugatory by the conflicting enactments contained in sections IV., VI., and XXXIV., and then adduce a practical plan of attaining these objects without delay, together with general useful information

to Societies, for the perfecting of their rules. 2d,—
 What are the excellencies contained in the act.

Q. 4. Very well: be so good as to inform me, how it happens that so much difference of opinion has prevailed on the subjects proposed for consideration.

A. I apprehend that it is chiefly attributable to the numerous false rumours of the enemies of these highly useful Societies, whereby our statesmen and philanthropists have formed very unjust conclusions respecting their principles and conduct, so that I, for one, do not marvel at the differences of opinion.

Q. 5. Will you name some of the unfounded rumours to which you allude.

A. It has been boldly asserted, nay, published by John Tamlyn, Esq., in his Digest of the Laws of Friendly Societies, p. 13, "that the members of such Societies have an undefined apprehension of the invasion of their funds by the government," I presume Mr. T. meant therefore to insinuate that such Societies are a disloyal or disaffected body of men—whose union is dangerous to the state, and which it would be good policy to dissolve. Again, another highly respectable author, and a sincere friend to the establishment of sound principles in the constitution of Friendly Societies, (I mean the Rev. J. T. Becher, M. A.) in his "Observations upon the Report from the Select Committee of the House of Commons, on the Laws respecting Friendly Societies," page 109, states, that "there appears a delicacy," nay, he intimates that there is a great difficulty in establishing just principles among such Societies, and that "the existing clubs, however defective in their organization," it is not adviseable to reform in a plain honest straight forward

way, but “to divert the working classes from their present errors, rather by the expectation of benefits, and the exposure of miscalculation, than by any positive prohibition,” because forsooth that “might be construed into a breach of public faith”—a very fine compliment this by the way to the “working classes!” Again, “the old clubs must progressively expire by their inherent defects,” and then it is said, that “the industrious classes of the community will soon learn to vest their funds in the most secure and profitable repository.” With great deference to the Reverend author (who is deservedly entitled to the confidence and esteem of every Friendly Society) I am of opinion that he is mistaken, relative to his opinions of the ‘working classes’ on these subjects: and beg leave to add, that if the Clergy and country gentlemen, and if the Pastors and Elders of congregations of christian people were to take up the matter in that spirit of kindness and zeal for the public interests which the importance of it demands, without controversy, national reform might be effected at no very distant period. Let but the noble christian principles of disinterested benevolence, induce such persons to take a lively interest in the establishment and administration of the affairs of such institutions, and then the system of mutual insurances might be extended so as to embrace the condition of all classes of the industrious poor, inspiring them with a national ardour to provide for their personal maintenance in sickness and old age, and most gladly would they avoid the hated degradation of parochial relief.

Q. 6. What attempts have been made to improve the regulations of Friendly Societies?

A. Many acts of parliament have been passed, contradicting and confounding each other, the particulars of which you may find by reference to my appeal to Lord John Russell, on the law relating to such Societies, (see my book, pp. 79-144 ;) suffice it to remark, that by the 59 G. 3, c. 128, the Societies were enjoined to insure "for any natural state or contingency whereof the occurrence is susceptible of calculation by way of average," and "that the rules and tables should be approved by two persons, at the least, known to be professional actuaries or persons skilled in calculation as fit and proper, according to the most correct calculation of which the nature of the case would admit ;" and the Justices were directed "not to confirm tables of subscriptions and insurances, until thus approved of." By sections 4, 5, and 8, of that act, a very pernicious principle was established, relative to the choice of treasurers and trustees, of which cogent proofs and examples are given in my treatise, but which principle was exploded the 19th June, 1829, when the act 10 G. 4, c. 56, received the royal assent.

Q. 7. What has been the effects of these acts of parliament ?

A. Why "the quarter sessions, with very few exceptions, have continued to approve of and record the rules of Friendly Societies according to their former practice, without respecting the ordinances of the legislature, which remained either unnoticed or unheeded." See the Rev. J. T. Beecher's Observations upon the Report, &c. p. 11.

Q. 8. What has been the effect in those Societies which have employed actuaries ?

A. Why, in many cases the actuaries have certified

one table at one time, and another table at another time ; in a word, the Societies have been left to grope their way, copying each other's indigested principles and miscalculations. In other cases they have obtained the aid of some "petty schoolmaster and accountant, whose opinion upon the probability of sickness, and the duration of life, is not to be depended upon to calculate for them." See the extract Report of the Committee of the House of Commons given in Tamlyn's Digest, p. 14.

Q. 9. Has any attempt been made effectually to remedy the evils to which you now allude ?

A. Yes, but to use a trite remark, the proposed remedies have been worse than the disease ; for certain would-be-patriots have in effect argued, "O dear, these doltish societies must repair to the National Debt Office, and I know not where, to hear the official announcements of profound mathematical calculations, issued under the sanction of authority." That, forsooth, was a ready way to remove the idle jealousies said to exist among Friendly Societies alluded to in my answer to Q. 5 ; at least so thought some of our modern reformers whose doctrines were exploded in 1829, as appears by reference to the parliamentary records of that year. Much has been said by one part of the minor portion of Friendly Societies, (to whose principles it is my design hereafter to call your attention,) against the principles of giving jurisdiction to justices of peace, to administer justice between the members of such Societies : and I admit in some few cases their decisions deserve severe public animadversion. But what Friendly Society composed of such minor portion will not appreciate the following remarks

of the Rev. J. T. Becher, the Chairman of the Quarter Sessions for the Newark division of Nottinghamshire, copied from his "Observations upon the Report, &c." p. 102, namely, "I feel confident that I speak the public sentiment when I affirm that the delegation of such a power to the National Debt Office, would excite well grounded alarm among the magistracy of the country, as well as among the Honorary and ordinary members of these institutions. Therefore I still persevere in recommending tables promulgated under the sanction of parliament, as being less exposed to the errors and caprices of individuals; and framed with a co-operation of talent, which might easily be concentrated for such a purpose, but which could not be continually called into exercise."

Q. 10. What then, Sir, do you conceive to be the chief obstacle in attaining sound practical reform!

A. Taking into the account my answer to Q. 5, I conceive that the obstacle you allude to is chiefly attributable to an idle apathy and indifference prevailing in Friendly Societies; and I am confident that if they could be aroused to give due attention to their personal interests, their benevolent friends, nay, it is quite plain that the government and the legislature of the day, are ready cheerfully to assist them. But if bodies of men manifest perfect indifference to their personal improvement and welfare, why should others trouble themselves about it?

Q. 11. But then, Sir, you have advanced a serious charge against the whole body of Friendly Societies in characterizing them as idlers: I demand an explanation of that?

A. Do, pray, my dear Sir, remember your tacit

agreement to preserve your temper in answer to Q. 2; if so, doubtless I shall be able to satisfy your mind on this point, premising that in common parlance, what is said or done by the leading members of a community, is taken to be the act of the whole body. The following are the state of facts gathered from my public observations of living characters. One class of objectors to reform, and to the establishment of just principles, unreasonably allege "that their minds are pre-occupied with the more important concerns of religion, and therefore have no time to attend to such matters." By the way, do they mean the religion of the Bible, for I cannot find an iota in that holy volume to support their objections? On the contrary, I read many such injunctions as these, "To do good and communicate, forget not; for with such sacrifices God is well pleased." Again, the rigid moralists say, that "they think the sanctions of penal law needless, for that they are actuated by the purest maxims of morality." It occurs to me that such objectors mistakenly pay the same homage to human as to the divine laws; not duly considering that human laws are founded on public opinion, and are wise and discriminating just in proportion as that opinion is wisely and discreetly directed. The prepossessed in favour of a particular system advance, ("so much do we admire our *own* system, that we conclude it is incapable of improvement,) what use can possibly accrue to us by reading books upon the subject?" To conclude this farce, the "mother of inventions" boldly advances, and loudly proclaims, nay, vociferates in the hearing of all her sons, "My children, do nought but from sheer necessity; if you transgress herein, I will instantly

disinherit you : necessity alone is the grand moving principle of all my English sons : to prevent evil they should never act, although they may be zealous in correcting it when necessity puts them on their mettle." Then there are vast numbers of the members of Friendly Societies, whose providential circumstances preclude, or, in other words, render them incapable of forming a correct judgment on the subject. But for the latter class of society, I am bold to affirm that they are among the first to adopt just principles, when fairly brought before them and explained ; how important then is it that every patriot and friend to these highly useful institutions should concentrate their efforts in the way suggested by the Rev. J. T. Becher stated in my answer to Q. 9.

Q. 12. Under these circumstances, can you suggest how immediate reform, relative to the establishment of correct tables, may be effected ?

A. I propose to collect the rules of all such Societies as have failed on account of miscalculations, and after carefully examining them, to publish, if necessary, a concise account of the circumstances which led to such disasters ; and then, a collection of the tables extant, or at least such of them as have enabled Societies to arrive at the highest state of prosperity.

Q. 13. But is not that too much to be expected ?

A. I think not ; and propose, if publicly supported, to do it myself.

Q. 14. How ?

A. By simply requesting each person who has been a member of an Insolvent Friendly Society (whom I may happen to meet,) to favour me with a copy of its

rules, together with a concise statement of the causes which operated to produce the insolvency, and if you should be acquainted with any such member, be kind enough to acquaint him of my design, and request that he will send me these particulars by a private hand.

Q. 15. Your proposal is praiseworthy, but is it practicable?

A. Why not? Is not every good man desirous of correcting abuses in these benevolent institutions? And can those persons who have suffered by such abuses be indifferent about effecting such an object?

Q. 16. What do you conceive to be the best method of inducing the publication of a correct and approved table of subscriptions and insurances, for the public guidance of Friendly Societies?

A. By offering a medal or some remuneration to the gentleman, or committee of gentlemen, who may produce such a table; and if brevity be observed, I would warmly recommend each member of Friendly Societies to purchase a copy of such table. Indeed I think that would be the best medal, because all would participate in the benefit of it. The scale should apply to Societies composed of from six members to 50, and from 50 to 100, and so on as high as 3,000, stating what would be necessary to insure the accomplishment of all the objects contemplated by such Societies. I have stated a case, for this purpose, in my book, pp. 255—257. And see the index of my book, under the head "Provident Society," and also my Letter to the Friendly Societies, pp. 8—10. Let it be remembered that Friendly Societies have been under special legislative controul.

ever since the year 1793, and the Rev. J. T. Becher has traced their origin to be coeval with our common law ; besides which, that worthy clergyman, as well as many other scientific men, W. Morgan, Esq., A. Morgan, Esq., and Dr. Mitchell, have by their publications furnished excellent materials to form a certain data on this subject, and I think Friendly Societies would do well respectfully to address those gentlemen on the subject ; for the most judicious friends of these highly useful institutions are of opinion, that until the scale (the formation of which I am now advocating) is prepared and publicly approved of, bankruptcies and other sad consequences must continue, which every British patriot deprecates. Indeed, I have heard lately of several appalling cases of this kind producing severe distress to the widows and orphans of deceased members.

Q. 17. But does not the new Act contemplate the attainment of the above objects ?

A. I really am at a loss what to say in answer to that question, for by Section 2, it appears that the same principle of calculation is adopted as is contained in the Act 59 Geo. III., c. 128, of which I gave you the words in answer to question 6. One individual is appointed to ascertain (as I suppose) if the contributions and payments are thus regulated. And by Section 6, it is enacted, "that no rules shall be allowed unless it shall appear to the Justices that the tables of payments and benefits may be adopted, with safety to all parties concerned," which, Section 34 declares cannot be done, because "the present existing data on these subjects have been found insufficient," so that, although by Section 4, one individual

is to judge for the Society, yet his judgment is annulled by Section 6 ; and Section 34 verily declares that neither he nor the Justices have any data whatever to assist them. How, therefore, the operation of Sections 4, 6, and 34, can benefit the public, is a problem exceedingly difficult to solve. In preparing the scale which I am now advocating, I submit to you that it would be wise to attempt a reformation of two objectionable principles, generally adopted by Friendly Societies. 1st. That no person shall be admitted into such Societies after he is 40 years of age; and if admitted after he is 35, that he pay a sum equal to that which he would have paid if admitted at 35. For the public welfare, I desire to ascertain, what is the difference in the ratio of sickness between the ages of 21 and 35, and of 35 and 70 ? 2d, That if members of Friendly Societies are necessitated to remove their residence to a great distance, they shall not transfer their interests to the Societies formed at their new residences. So that if any member happen to remove his residence to a distance, when above the age of 40, he must either continue to remit the monthly subscriptions, or forfeit his interest in the Society. I ask if the same facilities to transfer the interest and usefulness of each member from one Society to another, might not be established as in the case of individuals who go from one congregation of Christians to another. I anticipate an objection, viz. : How can that be, since no two Societies adopt one and the same principle ? My answer is, Then set about the establishment of a perfect system, which, when effected, will be generally adopted throughout the kingdom, and then the objection vanishes.

Let the barrier against the effects of caprice be raised as high as men please, but let them take care how they undermine the barrier raised by that golden rule, "As ye would that men should do to you, do ye even so to them." But is it consistent with that rule to tell a man when he is necessitated to go abroad, or becomes unable to continue his subscriptions by sheer poverty, that he must therefore forfeit all interest in his Society? And yet such is the invariable rule, as matters now stand.

Q. 18. Be kind enough, Sir, to explain what my own Society is warranted to insure to its several members, under Section 2, of the Act in question.

A. By that Section you may legally insure a maintenance for yourself, your wife, children, or other relatives, in sickness, advanced age, widowhood, or any other natural state or contingency, whereof the occurrence is susceptible of calculation by way of average.

Q. 19. May I request your opinion and advice on the construction of that clause?

A. With the greatest pleasure, and for that purpose I will assume that you earn only one pound a week, or it may be as high as two pounds, or perhaps less than one pound. In either of which cases, I am decidedly of opinion that you should have nothing to do with insuring annuities to your widow or children. But do not misunderstand the last sentence, for I do not mean to trifle with or insult your kind and manly feelings in this particular. My aim is honestly to tell you, that if you attempt to effect that benevolent object, you must pay a larger subscription than your circumstances will afford, and your Society will in-

cumber its rules with complex difficulties. Besides which, let it be recollected, that if by industrious habits you prosper in life, your object may be effected at other offices. I recommend, therefore, that you advise your Society to confine itself to the effecting of insurances, for your personal relief in sickness and advanced age, together with a suitable allowance of what is called funeral money, for your widow or other representative, and if you please you may add a table for lying-in money.

Section 2 likewise contains the following wholesome words, "That it shall and may be lawful," &c. "to and for the several members of each Society from time to time to assemble together, and to make, ordain, and constitute, such proper and wholesome rules, for the better government and guidance of the same, as to the major part of the members of such Society so assembled together shall seem meet, so as such rules shall not be repugnant to the laws of this realm, nor any of the express provisions or regulations of this Act, and to impose and inflict such reasonable fines and forfeitures upon the several members of any such Society, who shall offend against such rules, as shall be just and necessary for duly enforcing the same, to be respectively paid to such uses, for the benefit of such Society, as such Society by such rules shall direct,"—which words, should be read in connection with the following words, in Section 3, namely, "And the monies so subscribed, paid, or given, or arising to or for the use or benefit of such Society, or belonging thereto, shall not be diverted, or misapplied, either by the treasurer, trustee, or any other officer or member of such Society entrusted therewith, under

such penalty or forfeiture as such Society shall by any rule impose and inflict for such offence."

The above words in Section 2, are taken from the 33d Geo. III., c. 54, S. 1; and the words in Section 3 are taken from Section 12 of that Statute. But as I shall demonstrate in the sequel, these wholesome words are rendered completely nugatory by the subsequent Sections, 25, 27, and 28.

Q. 20. Pray, Sir, can you tell me what number of members our Society may receive?

A. By the said Section 2, your Society may admit any number of members you please; and not only so, but you may limit your Society to any trade, calling, or profession; in fine, you as an individual, may unite yourself with whatever class or denomination of people you think proper.

Q. 21. What is the rule of law relative to the place of meeting of the Society?

A. The 10th Section on that head is very valuable, for it allows you to meet, and to remove your meetings to any part of the county in which your articles are enrolled, as often as you like, but it forbids your removal into any other county. The advantage of that is obvious, for it often happens that a Society holds its meetings on the borders of two counties. The following case has lately come under my personal observation, viz.: that of Widow Andrews, the particulars of which is stated pp. 93—96 of my Treatise. This poor woman lately applied to the magistrates in Bedfordshire, to recover the sum of 12*l.* 2*s.*, due to her for funeral money, &c. from the Friendly Society held at Market Street. It appeared that William Goodyear, a member of the Society, had removed the box of the

Society from the Swan Inn, Market Street, Bedfordshire, to his own house, the Seabright's Arms, in the same town, which is in the county of Herts. That case has created much expensive litigation, and its concomitant evils, a denial of justice to Mrs. Andrews, and other lawful claimants on its funds.

Q. 22. Allow me to ask you what are the number of officers you consider necessary to conduct a well organized Society?

A. I am of opinion that any Society not exceeding 300 members, may have its affairs well managed with about 15 officers, viz.: 1 treasurer and 3 trustees, 6 committee of management, 4 stewards, and 1 secretary. But if a Society be subdivided into sections or divisions, and each of these have a separate meeting-night, it will of course become necessary to increase the number of officers, in order to prevent the possibility of creating a feeling of jealousy, which may arise by one division having more influence in the election of the representative committee than the other. There is one well known Society, and there may perhaps be more such in London, whose number some time since nearly amounted to four thousand, the number of officers of which alone (as I am credibly informed) is nearly 300.

Q. 23. To shorten this part of our friendly converse, be kind enough to state generally in what further particulars you consider the Act in question contains excellent principles?

A. If Societies pay particular attention to, and embody those principles of the Act, in their rules which relate to the choice of treasurers, trustees, committees, &c., and to the *civil* remedies against

them and other officers, under the various contingent circumstances which may arise in the administration of their affairs, (which I shall subsequently particularize) the Act in question appears in these respects to be as perfect as it can be. It may, however, be useful to notice that there are many Societies extant, which have hitherto entertained scruples about the policy of enrolling their Rules, not duly considering the evils to which they expose themselves on one hand, and the protection and privileges of which they deprive themselves on the other, relative to the choice and removal of trustees; the investment of funds; the settlement of disputes; the avoidance of litigation and heavy chancery suits; in fine, the administration of justice and of their general affairs. In behalf of such Societies, therefore, I have fully elucidated these matters in my book, and which may be easily consulted by referring to the index, under the respective heads, "Treasurer," "Trustees," and "Investment of funds." Sections 13 to 22, inclusive of the Act in question, should likewise be carefully consulted in reference to the same points. Those sections are copied from the 33d Geo. III., 3. c. 54, s. 6, 7, 8, 9, 10, 11; 59th Geo. III., c. 128, s. 7, 13; 6th Geo. IV., c. 74, s. 5, 7, 15, 16; 9th Geo. IV., c. 92, s. 41; and it appears by section 13 of the Act 10 Geo. IV., c. 56, that the provisions contained in the 33d Geo. III., c. 54, s. 6, 7, whereby Societies were allowed to dispose of their capital fund in whatever way they pleased, are revoked by enacting, "that it shall and may be lawful to and for the treasurer or trustee for the time being, of any such Society, and he, she, and they, is and are hereby authorised and required from time to

time, by and with the consent of such Society," in future to lay out its funds "either on real or heritable securities, or heritable property, or to invest the same in the public stocks, or funds, savings' banks, or government securities, or in any of the chartered banks in Scotland, or in the bank of the commercial banking company of Scotland, *and not otherwise.*" (See Q. 32, and the Supplement to Dialogue.) By section 14, the provisions of the 33d of Geo. III., C. 54, S. 8, are extended to the "books, papers, or property" of Societies: and by Section 21 the provisions contained in Section 11 of that act, and of the 59th of Geo. III., C. 128, S. 7, are extended to "real property." It is much to be regretted, however, that the Act in question does not perpetuate the admirable principles contained in the Acts 33d Geo. III., c. 54, ss. 1, 2, 12, 13, 14, 15, 16; the 9th Geo. III., cap. 125; the 59th Geo. III., cap. 128, s. 15, by remodelling those Acts in the manner which it is my intention in the sequel of our friendly interview to bring before you; and allow me to add, that you may find it useful at your leisure to consult my book on the same subject. Unenrolled Societies are requested to read answers to Q. 55, 56, and the Supplement to Dialogue.

2nd. What is defective and mischievous in the act 10 Geo. IV., c. 56, and necessary to be repealed, and also what new clauses and sections are necessary to the perfecting of the act?

Q. 24. Before we proceed be kind enough to state the grand leading points for consideration in discussing the question now proposed for consideration?

A. They are as follows:

1st. I propose to demonstrate that the patriotic de-

signs of the projectors of the act in their ultimate adoption of sections 4, 6, 8, 13, 24, 25, 27, 28, and 34, are completely nullified, and the contemplated value of the assistance of the barrister, to certify the rules of Friendly Societies before enrolment, is useless, which I hinted to you in answer to Q. 17.

2d. That Sections 6, 8, 13, 24, 25, 27, 28, and 34, will work a total denial of justice and deter benevolent persons from forming such institutions.

3d. That frauds producing bankruptcies and other appalling evils must necessarily continue unpunished and unredressed as heretofore.

4th. That the greatest confusion must continue to be created in the administration of the Society's affairs.

Q 25. But I beg to know if you are prepared to submit to, and defend your positions before Parliament.

A. With profound respect to the learning and wisdom of that August body I am. In my petition to the House of Commons, presented by Lord John Russell, on the 2d March last; I prayed "that I might be allowed to submit a plan to that Honorable House having, for its object, the establishment of just principles, in order to effect (as I humbly conceived) speedy justice between the members of Friendly Societies, to explode their lax but generally adopted notions, and establish more sound legal and scientific principles in each little community, to render such Societies worthy of public confidence and support," and I am now ready to submit this plan to you.

Q. 26. Be kind enough to proceed.

A. Certainly, and it may be convenient to take the objectional sections in order. I shall commence with Section 4. In my said petition to parliament presented by Lord John Russell on the 2d March last, I pointed

out seven prominent objections to it; which were re-echoed in the petition of the Provident Society connected with the congregation under the pastoral care of the Rev. G. Burder, of Fetter Lane, presented on the same day, namely, that by section 4; the ancient and immemorial right of British subjects to choose their own counsel had been departed from by appointing a single barrister in behalf of the Friendly Societies, who is to be paid from the funds of such Societies probably to the amount of £10,000 in the shape of fees within the first three years of his appointment and £2,000, a year subsequently, a remuneration far exceeding the trouble to be occasioned to him because he is only required to certify to the magistrates, "that the rules contain nothing contrary to law nor to the provisions of the said act?" a very easy duty which any gentleman having studied the elementary principles of law may perform without much mental or bodily labour. Besides which, it should be recollected that the Societies are enacted to pay the expenses of sending the rules backwards and forwards from every part of the kingdom, to London, or wherever else he may happen to reside for the time being. Then I noticed that the effect of this ordinance would be to deprive the pastors and elders of churches and other benevolent friends of these highly useful institutions, from having a personal interview with a barrister acquainted with the local circumstances of the particular county, which otherwise they might have four times in the year in any part of the Kingdom. Besides, the natural effect of the measure is to prevent practical improvement in the internal regulations of such Societies; for the more defective each set of rules is certified to the magistrate the more likely are they to need revision

and re-amendment ; and thus it should seem that the personal aggrandizement (not the welfare of the Societies) of the said barrister will be increased, who, in the course of time, will probably acquire an arbitrary mode of judging on such subjects very injurious to the freedom and prosperity of Friendly Societies. Then consider that if the Societies were allowed to choose their own Counsel, the united wisdom of the gentlemen of the bar would probably soon adduce practical suggestions of improvement in the internal regulations of such Societies ; but as the section now stands, the attainment of an approved national table of subscriptions and insurances (which is one of the objects which I have in view) must be retarded, and in the interim frauds, bankruptcies, and other appalling consequences will continue as heretofore. To all the friends of John Tidd Pratt, Esq., the gentleman appointed under the section in question, I submit it would be far wiser that his public conduct should entitle him to the confidence and willing choice of the Friendly Societies rather than that he should be appointed in an unconstitutional manner, because jealousies will be thereby necessarily fostered, as well as much practical good prevented. At the same time I freely admit that, if the appointment in question is publicly approved of, a more suitable individual than Mr. Pratt could not have been selected.

Q. 27. But, pray, may not one individual, supposing he is guided by independent principles, effect more practical good than can be effected in the way you propose ?

A. I think not ; for however well disposed an individual may be, yet as he may cease to exist on the morrow, of course all his practical knowledge dies

with him, and his successor may be a man of another spirit, and may (for aught I know to the contrary) capriciously proceed to remodel all his predecessor had done. I beg to add, that the appointment of a single barrister reduces itself to a question of public utility. On one hand, it is contended that the appointment of a single barrister, as a common referee, is a principle of paramount importance, while on the other hand, it is insisted by the Friendly Societies at Cambridge, and other parts of the country, that they would rather confide in their provincial barristers, or those who attend the Quarter Sessions. If the plan which I have suggested be adopted, the Societies in each county may each choose their common referee, and thus insure unanimity in principle; whereas neither party can choose, or control the choice of a referee, as the law now stands.

Q. 28. How do you propose to amend Section 4?

A. In my humble judgment the words therein, "shall be submitted, in England and Wales, and Berwick-upon-Tweed, to the barrister at law for the time being appointed to certify the rules of Savings' Banks, and in Scotland to the Lord Advocate or any of his deputies, and in Ireland to such barrister as may be appointed by his Majesty's Attorney-General in Ireland, for the purpose of ascertaining whether the said rules of such Society, or alteration or amendment thereof, are in conformity to law, and to the provisions of this Act," should be rendered thus,—Shall be submitted to a barrister-at-law, or advocate, for the purpose of ascertaining whether the said rules of such Society, or alteration or amendment thereof, are in conformity to the provisions of this Act.

Q. 29. In answer to **Q. 17**, you stated very cogent objections to Section 6, of the Act in question. How do you propose to amend it?

A. Pray excuse my answering that question; for you will perceive, by reference to Section 34, and comparing it with Section 6, that the legislature of the day is of opinion, that the magistrates in Sessions are more wise than it, and are therefore required to do (aided by Mr. Pratt) what the legislature cannot do. I have taken the liberty of consulting Mr. Pratt thereon, who states that by Section 6, the jurisdiction of the magistrates to decide is imperative, and that as to all Societies formed after the 19th June, 1829, they have a right to require the certificate of actuaries, relative to the correctness of the tables; which will create an expense of five or ten guineas; and it appears that the magistrates in Sessions assembled, have resolved not to enrol rules unless certified by one or in some cases by two actuaries. Do these facts, coupled with what is stated in the answer to question 8, evidence that the Act in question has verily arrived at "the highest point of perfection in human legislation," in this particular? Allow me to remark, that the expense just named will probably prevent the formation of Friendly Societies; for it is the original expense that deters many benevolent persons from forming such institutions. [See the Supplement to Dialogue, pages 55 and 64, and the magistrates' order in Cheshire, printed in advertisement, page 71.]

Q. 30. What objections have you to state to Section 8, of the Act in question?

A. The following, which I pointed out in my petition to Parliament, namely, That upon the admis-

sion of each member into Friendly Societies, the practice is to deliver to him a printed copy of the rules, with his name written therein, and the date of his admission. Whence then arises the necessity of imposing an exaction of about £2, from a poor oppressed claimant, payable to the Clerk of the Peace, "being the actual expense" of making a copy of the rules of such Society, as the Section in question enacts? That is the main defect in this section, but there are one or two others of minor importance.

Q. 31. I admit the objection stated is calculated to operate as a total denial of justice. But how do you propose effectually to remedy it?

A. By rendering the Section thus,—That all rules from time to time made and in force for the management of such Society as aforesaid, and duly entered in such book as aforesaid, and confirmed by the justices aforesaid, shall be binding on the several members and officers of such Society, and the several contributors thereto, and their representatives, all of whom shall be deemed and taken to have full notice thereof, by such entry and contribution as aforesaid. And that upon the admission of each member into any such Society, he shall sign the original rules thereof, and enter the date of his admission opposite thereto, which entry shall be witnessed by the Clerk or Secretary of such Society, and that a printed copy of such rules shall then and there be delivered to such member, with his name written therein, and the date of his admission, which shall be signed by the said Clerk or Secretary in the following form, that is to say, "A. B. (the member) of ———, was admitted a member of the ——— Society, on the ——— day

of ———. Signed, C. D., Secretary.” That the entry of such rules in such book as aforesaid, or the transcript thereof, deposited with such Clerk of the Peace as aforesaid, or a true copy of such transcript, examined with the original, and proved to be a true copy, or the printed copy of such transcript so delivered to such member, on his admission as aforesaid, or any counterpart thereof, signed by the Clerk or Secretary of the Society, for the time being, on the admission of any other member of such Society, “ shall be received as evidence,” &c. [following the remaining words of the Section, 8:]—please to compare the above with Section 8.

Q. 32. What objection have you to Section 13 ?

A. Two. One respects the investment of the funds of these institutions in the sister kingdom ; for which no provision is made, and to which it is my design to call the attention of the Irish members ; and the other respects the amendment which I have submitted in the supplement to the Dialogue. [See my answer to Q. 23, and the Supplement to Dialogue, p. 56.]

Q. 33. What objection have you to state to Section 24 ?

A. My objection to section 24, arises upon an erroneous and mischievous legal opinion. To justify the adoption of it, it was alleged that it would be beneficial to poor widows and children of deceased members of Friendly Societies, in all cases where the funeral money does not exceed £20 ; that as no exception of the kind was introduced into the former Friendly Society’s acts, therefore the widows or other representatives of deceased members were previously bound to administer, in every case, to discharge Societies on receipt of the funeral money ; whereas the funeral money is a vested

interest in the representative : as if A. stipulates to pay a premium or subscription to insure a given sum to B. on the demise of A., and performs the condition, B. is clearly entitled to the sum insured on the demise of A. without taking out letters of administration. Suppose, however, that the legal opinion of the Author of the Section was strictly correct, why even then, the practical effect of it would be to allow any dishonest Society to quibble with a poor widow or orphan, and, in effect, allege, "That, for ought we know to the contrary, some one of your numerous relations may take out letters of administration. Nay, (it may urge,) in order to obtain your money, you must take out letters of administration yourself; for we are *not* 'satisfied that no will was made, and that no letters of administration will be taken out,' and, *not being satisfied* of these facts, the act says that we are *not* to pay you."

Q. 34. Pray, Sir, what would be the effect of such a decision ?

A. Why, to impose the following grievous, burthen-some expenses payable from the miserable pittance of the representatives of deceased members ; viz., if the sum administered does not exceed £20, £1. 7s. 6d. ;—if under £40., £3. 17s. 2d. ;—if under £50., £4. 3s. 6d. besides, the grievous charges in cases where the parties happen to reside at great distances from the Bishop's Court. Therefore it appears that Section 24 is in direct opposition to the benevolent principles contained in sections 17, 31, and 37, and contrary to the above-mentioned clear and defined principle of law.*

Q. 35. How do you propose to remedy the Section now under consideration ?

* The Stamp duty on each of these cases under Section 37, is doubtless remitted, which in the second and third cases is 10s. each. In the first case there is no duty.

A. By petitioning the legislature to repeal it.

Q. 36. May I now request your kind attention to the principles contained in Sections 25, 27, and 28, of the said act, and your opinion thereon?

A. The 27th and 28th Sections were made to gratify two prevailing prejudices existing among a small portion of Friendly Societies, diametrically opposed in sentiment; one part alleges that it cannot brook the dictum of the magisterial bench, but must have a board of arbitrators to settle all its disputes; while the other part insists that no decision shall serve it but a solemn appeal to the bench. Now the great bulk of such Societies desire that the statute law should allow perfect freedom to each Society, to determine what is the best practical method of administering its own affairs; of profiting by its personal experience; and of perfecting its rules. They wisely insist that each Society should be allowed a sound discretion, not merely to *settle disputes* in the Society, but to *enforce its rules* by the sanction of just penalties, according to ancient usages: and for that purpose to invest a wholesome executive power, either in the general meeting, the committee of management, the arbitrators, or the magistrates, as the rules may determine—in short, that the act may embrace all possible contingencies, [See Section 2, pages 17 and 57, whereby it appears that each Society is constituted a little independent legislative assembly,] subject to the review of a barrister, before the articles of the Societies are suffered to be enrolled. Then by the 25th section, the refined doctrine of undefined constructive frauds is established, which the bulk of Friendly Societies desire to explode; so that every individual may read in the rules of his own Society what is fraud and what is not; that the magis-

trate, the general meeting, the committee, or the arbitrators, as the case may be, may likewise read therein their respective jurisdictions clearly defined, so that on every question of fraud, the consideration may be reduced to the simple inquiry:—Is the man guilty or not of the facts charged against him?—instead of, as the case now is:—Is he guilty of a very nice, refined, and constructive departure from the said 25th Section, viz., “And for which offence no especial provision is made in the rules of such Society.”

Q. 37. What are the words in the Sections 27 and 28, which you rely upon to show that your answer is correct relative to these Sections?

A. By reference to Section 27, it is enacted, “That provision shall be made by one or more of the rules of *every* such Society, to be confirmed as required by this act, specifying whether a reference of *every matter in dispute* between any such Society or any person acting under them, &c., shall be made to justices or to arbitrators, to be appointed in the manner hereinafter directed,” which Mr. Pratt has declared to mean, what every lawyer will admit the correctness of, viz.,—that the clause is made to suit the prejudices of the first part of the minor portions of Friendly Societies above referred to. On the other hand it is equally clear that Section 28 is made to suit the prejudices of the other part.

Q. 38. Although I admit the above considerations are very important, yet I cannot but think that sufficient protection is already given, because the words “*every matter in dispute*” &c. seems to meet every case.

A. I concede the words you quote are amply sufficient in all cases in which disputes fairly arise, and are

as fairly settled; penal laws are, however, not made for such cases, but for the lawless. And I assert without fear of contradiction, that in all cases in which the arbitration clause is adopted in the rules, if any such Society shall dishonestly choose not to "dispute" with, but arbitrarily deny relief to individual members, in that case no relief can be obtained but by filing a bill in Chancery. On the other hand, if the prejudices of that minor portion of Societies, who will bow to no authority but a bench of justices, is to prevail by having "every dispute" in the Society referred to magistrates, why, in that case, each member will be entitled to a summary right of appeal to magistrates; nevertheless, that principle is highly objectionable, because it contravenes the true intent and meaning of Section 2, (to the words of which I referred you in the answer to Question 36,) and thus we perceive that Sections 27 and 28, make it imperative for Friendly Societies to be governed by one prejudice or the other, of the minor portion of such Societies defined in answer to Question 36. Under such circumstances it is impossible to suggest any practical improvement in the internal regulations of such Societies—in fine, the consequence is that under Section 27, justice will be denied, and under Section 28, any litigious member may be constantly compelling the attendance of the officers of Societies before magistrates. The principles in these Sections thus separated, are most mischievous, whereas if they were combined (as I shall afterwards show) they would prove most salutary and beneficial.

Q. 39. How do you propose effectually to remedy the above mentioned evils?

A. In the first place, by repealing the following words in Section 25, namely, “and for which offence no especial provision is made in the rules of such Society,” and by introducing the following words in their stead,—Contrary to the true intent and meaning of the rules of such Society. And after the words, “And award double the amount of the money so fraudulently obtained to be paid to the treasurer,” add—Or other duly appointed officer of the Society according to the rules of any such Society. Those amendments would in my humble judgment produce the most salutary effects in the administration of justice, and of the general affairs of such Societies, because it would induce the Societies to take care that their rules contain wholesome and just maxims; recollecting that when such rules are enrolled, they are as much a portion of the law of England, as the statute law; and equal in authority.

Q. 40. But is not the principle, in Section 25, of which you complain useful, in cases where the rules of Societies are defective?

A. Certainly not; for if Societies are so indifferent about principle as to adopt the first idle notion that presents itself, rather than study the writings of their benevolent friends, nothing but some serious pinching evil will arouse them to reform themselves. And is it not more wise that the few should suffer for their folly and idleness, than that the whole body should be misled by undefined and unconstitutional principles?

Q. 41. But what amendments do you propose to make in Sections 27 and 28?

A. None whatever in principle: I only desire that the following words in Section 27, viz., “That provision shall be made by one or more of the rules of *every*

such Society," be rendered thus,—That provision shall be made by one or more of the rules of *any* such Society, and that Section 28 be made conformable thereto.

Q. 42. But I thought you intended to strike out those Sections from the statute book. I cannot comprehend your design, pray explain it?

A. My design is simply to explode the old proverb, "that it is impossible to please every body," and demonstrate to the legislature how that wonderful anomaly may be effected. I propose to introduce the following Section into the act—And be it further enacted by the authority aforesaid, that if by the rules of any such Society, it is directed that charges of fraud or any other penal offence against individual members of such Society, which by the rules of such Society subjects the offender to expulsion, shall be decided by a general meeting of the Society, or by a division thereof, to which the offender may belong, or by arbitration, then, and in every such case such Society shall by its rules direct how and in what manner such cases shall be decided; and if the rules of such Society shall direct such cases to be decided by a general meeting of the Society, a clause shall be inserted therein, allowing the party complained of to demand arbitration; and in every such case an equal number of arbitrators on each side shall be then and there chosen, (the number whereof shall be determined by the rules of such Society,) with power for such arbitrators to choose an umpire, "none of which arbitrators being beneficially interested," &c. [Then remodel the following words in Section 27, agreeably hereto.] But in all such cases, if the party complained of shall prefer to have his case decided by the general

meeting, the decision of such general meeting shall be final and conclusive without appeal to justices of the peace or any other tribunal, provided always, that if any individual member of any such Society, shall in the course of his examination before such general meeting demand arbitration, and be refused such demand, then and in every such case, if the general meeting shall decide the case against the member so demanding arbitration, he shall be at liberty to appeal from such decision to justices of the peace, who shall and may summon the officers of such Society against whom the complaint shall have been made in manner hereinbefore directed, but in case the decision of such general meeting shall be in favour of the member so demanding arbitration, it shall be final.

Q. 43. But are you not aware that there are many Societies who find it exceedingly difficult to choose arbitrators not connected with their Society; and whose disputes have always been satisfactorily settled by their committee of management, formed and chosen according to their rules.

A. Yes; and if such Societies desire to have a clause in the act allowing them to choose a committee to settle their disputes as heretofore, they had better petition the legislature to that effect, while the act is under review: in principle, it will be very easy to prepare a Section to meet their wishes, without contravening the principle that arbitrators ought not to be members of the Society. Indeed, if the plan suggested by our friendly interview prevail, each Society may adopt by its rules the wisest method of administering its affairs which circumstances will allow.

Q. 44. And as there are many Societies in the country instituted under the patronage of benevolent

ministers of religion, and other friends to the virtuous and frugal habits of the "working classes," who form Committees of management, and, to whom the Societies with confidence refer the settlement of all their disputes, might not, therefore, the provision contained in Section 12, of the act in question, be so enlarged as to meet such cases ?

A. Certainly ; and it may be done, as I apprehend, by introducing the following clause, namely,—That if by the rules of any such Society, it be provided that a committee of management of honorary members and others shall be appointed, to conduct its affairs, and that the disputes which may arise in any such Society, between any such Society or any person acting under them, and any individual member thereof, or person claiming on account of any member, shall be decided by such committee according to the rules of any such Society ; then and in such case the decision of such committee, according to the rules of such Society, shall be final and conclusive, *without appeal to the general meeting of such Society* ; but if any member shall feel himself aggrieved by the decision of such committee, he shall be allowed an appeal from such decision to two justices of the peace, who shall determine the merits of the case according to the rules of such Society, and make such order therein as to them shall seem just ; and shall enforce such order in manner hereinbefore mentioned ; provided always, that nothing herein contained shall be construed, as giving or granting, or intended to give or grant, jurisdiction to justices of the peace, in any case, in which the rules of any such Society shall declare, that the decision of

such committee of management shall be final and conclusive, and not subject to the review of justices, or any other tribunal whatever. Such a clause would doubtless enlarge and define Section 12, of the 10th Geo. IV., c. 56.

Q. 45. Pray, Sir, what is necessary to be done in order that treasurers, trustees, and other officers who commit frauds, may be summarily punished?

A. The following clause should be adopted,—Provided always, that if any treasurer, trustee, or other officer of such Society for the time being, shall fraudulently apply the monies, books, papers, or other property of the Society, to his or their private purposes, or to any purpose whatever, in direct violation of the rules of any such Society, or shall abscond with such monies, books, papers or other property, then and in every such case it shall be lawful for any such Society, by its rules, orders, and regulations, to direct how and in what manner all such cases shall be prosecuted, care being taken therein to give jurisdiction to *one* justice of the peace to enforce instant justice.

Q. 46. But might not Sections 27 and 28, and your proposed improvements, be reduced into a smaller compass than so many divisions and subdivisions?

A. Doubtless they may; and with confidence I submit that the following clause, coupled with Sections 2 and 3 of the Act in question, the words of which are given in answer to Question 19, will be amply sufficient, that is to say,—And whereas it is of importance to the general welfare and improvement of the internal regulations of such Societies, to allow to any such Society the unlimited power of providing by its rules how and in what manner the offences and disputes

that may arise in any such Society, between any such Society, or any person acting under them, and any individual member thereof, or person claiming on account of any member, shall be settled; be it therefore enacted, That if the rules of any such Society shall direct the disputes and offences aforesaid to be decided by a general meeting of the Society, or by a division thereof, to which the disputant or offender may belong, or by a committee of management chosen for that purpose, or by arbitrators, or by an appeal to *one* or *two* magistrates, then and in either of such cases the rules of every such Society shall contain apt legal words, clearly defining its principles, and which rules shall also contain apt legal words, sufficient to give legal effect to all the moral and legal principles therein contained, by sanctioning such principles with fines, and such other penal consequences as accord with the general laws and usages of such Societies, from time immemorial used and approved of therein, and agreeably to the provisions of this Act; and shall also contain ample provisions whereby jurisdiction may be given to the administrators of the law, to enforce speedy justice against the violators of the rules of any such Society. And if the rules of any such Society shall direct the disputes and offences aforesaid, to be decided by the general meeting of the Society, or by a division thereof to which the disputant or offender may belong, with a clause, allowing him to demand arbitration, while the offence or matter in dispute is in a course of investigation; and if in any such case it be directed that an equal number of arbitrators be chosen on each side, the number whereof, and the manner of choosing them to be determined

by the rules of any such Society; "then and in such case, whatever award," &c. [following the words of Section 27, relative to enforcing the award.] But in all such cases, if the party complained of shall prefer to have his case decided by the general meeting [here read the words contained in answer to Question 42 to the end of the answer, and then read the clause verbatim relative to the committee of management, stated in answer to Question 44.]

Q. 47. Allow me now to recall your attention to your answer to my question 23, as it respects the *civil* remedies against treasurers and trustees, in which particular you admit the act in question is perfect, and at the same time explain the general principles upon which you urge the adoption of the above amendments.

A. You will remark that the 25th, 27th, and 28th Sections of the act in question, in their purview, contemplate the protection of the Societies from the evil designs of fraudulent private members, *not* trustees or other officers. But have not treasurers, trustees, and other officers, defrauded Societies to an alarming degree, whom the law has not reached, nor can reach under the present act, but by medium of the court of Chancery, "a remedy far worse than the disease?" But why are individual interests left unprotected; for have there not been many fraudulent and unjust Societies, that have denied relief to individual members, and should not our law fairly poise the balance of power and just rule? Allow me to tell you, that that constitution or code of laws which holds the doctrine of undefined frauds is miserably defective in principle, and dangerous in the extreme; for it subjects

every man to the arbitrary dogma and caprice of his judge, whether such judge be a magistrate, a committee, an arbitrator, or a general meeting. Thus the judge (and not the law) is arbitrarily to declare what is fraud, and what is not. That methinks is a principle too despotic to remain in the laws and constitution of Friendly Societies. Moreover, I beg to urge to your dispassionate judgment a distinction between frauds committed by trustees or other officers, and those which are committed by private members. That distinction is most important, when we recollect that by virtue of the official character of the former, they have easy facilities of committing frauds, which the private members have not; but the latter to effect frauds must resort to numerous shifts and subtle contrivances, which the vigilant watchfulness of the Society, founded upon just rules and maxims, may detect and prevent; for each of these cases, therefore, wholesome laws should be made. Now observe the sad defect in the 27th Section, made to suit the caprice of the minor portion of Society, alluded to in answer to Question 36, who contend that a board of arbitrators should settle every dispute. And suppose a dishonest treasurer, trustee, secretary, or other officer, composed of such minor portion of Society, to have obtained the legal possession of the Society's funds, and then fraudulently apply them to his private purposes, would he not, under the 27th Section have a legal right to dispute the case, and insist upon such dispute being settled by arbitration. And where is the money likely to go in the interim? On that point I beg to refer you to my Treatise, pp. 10—12.

Q. 48. Have you any other considerations to advance on this point?

A. Yes; I will suppose the case of any quibbling Society, acting as did the Market-Street Society, in the case of Widow Andrews, stated in my book, pages 93—96: it naturally occurs to inquire, who are to be the arbitrators, in such cases; and where are they to be found? Now it appears by Section 27, that they are to be a board chosen for the purpose, immediately upon the rules being enrolled, to decide a case which, in some cases, will not happen for ten years or more, then next following. And the advocates of the system contend that the arbitrators ought to be paid men: it follows from these premises that if their residence should happen to be unknown to poor oppressed members, as will very likely be the case; or that if the Society chooses to intervene the exercise of their authority, no redress can be had without resorting to the Court of Chancery, as I stated in answer to Q. 38.

Then there are abundant reasons earnestly to contend, that a wholesome jurisdiction be given to general meetings, to decide all questions of public interest to the Society; for besides the interest created in such discussions, the publicity thereby given to the case in question, produces a grand moral effect; and is it necessary to argue that all actions, good or bad, lose their value to Society by secrecy? And I beg to refer you to pp. 35—37, 67—78, of my Treatise, where I have discussed these points more at large.

Q. 49. But would you then call general meetings to decide cases in which the trustees or other officers

abscond, or attempt to abscond with the Societies' funds ?

A. Certainly not, but rather by the rules invest the proper officers of the Society with a power, whereby they may instantly apply to a magistrate ; for in all such cases speedy justice is the grand desideratum. Now consider the above principles in contra-distinction to the principles of that class of Society, who would have every disputed fraud decided by arbitration. And allow me again to urge your attention to those references contained in my last answer. To be a little more particular ; I would have general meetings called to decide all cases, in which money is either fraudulently obtained by feigning illness on one hand, or by reason of illness occasioned by immoral conduct on the other ; or for any other breach of the rules, subjecting the offending party to expulsion. But in all cases in which money is obtained from the Society, by means of a forged signature, or other fraudulent means, the party offending should be subjected to immediate prosecution, and classed with those persons to whom your question relates.

Q. 50. Have you any cases to state which warrant the adoption of your proposed amendments ?

A. Yes, very many, some of which will be found in my book ; others I am ready to explain to the legislature when called upon, or to any private friend of these institutions.

Q. 51. Allow me to recall your attention to your answer to **Q. 38**, and state how you propose to amend the Act in behalf of private members, to whom justice is arbitrarily denied ?

A. I propose to introduce the following clause into the

Act,—That if complaint shall be made to *one* justice of the peace, residing within the county in which any such Society shall be held, by any member of such Society, or by the widow, or child, or nominee, or representative, of any member of such Society, of relief having been unjustly refused to him, her, or them, any or either of them, contrary to the true intent and meaning of the rules of any such Society, it shall be lawful for the *said justice*, and *he* is hereby required, upon complaint made by or on behalf of the person or persons aggrieved, thereby to summon all, any, or either of the officers for the time being, of such Society, and upon his, her, or their appearance, or in default thereof, upon due proof upon oath of the service of such summons or summonses, *such justice* shall proceed to hear and determine the said complaint, and award such sum of money to be forthwith paid, (or paid at a future period according to the rules of such Society,) to such complainant as shall appear to *such justice* to be due to such complainant, together with the like sum for travelling expenses, and costs of the complainant, and any material witness produced by him, as is allowed to witnesses for their attendance on trials in his Majesty's Courts of Common Law; and if the said sum so to be awarded, together with such costs, shall not be forthwith and in the presence of *such justice* paid, (or paid at a future day, according to the rules of such Society as aforesaid,) to such complainant, or to some person or persons attending in his or her behalf, then *such justice* shall by warrant under *his* hand and seal, cause such sum and costs as aforesaid, to be levied by distress, or by distress and sale of the monies, goods, chattels, securities, and

effects belonging to the said Society, together with all further costs and charges attending such distress, or such distress and sale, returning the overplus (if any) to the said Society, or to the treasurer, or any one of the trustees thereof; and if no such distress can be found, then the levy shall be made by distress and sale of the proper goods of all, any, or either of the officers of the said Society so summoned, as aforesaid, and so neglecting or refusing as aforesaid, together with such further costs and charges as aforesaid, returning the overplus (if any) to the owner; and so from time to time, as often as complaint shall be made of the non-payment of any sum or sums, directed by such order to be paid at a future period, as aforesaid, *such justice* shall, by a like warrant, cause such arrears from time to time to be levied, together with the further costs thereby incurred, upon the principle, and in manner before directed. But whatever sum or sums shall be paid by any such officer or officers, or which shall be levied on his, her, or their proper goods, in pursuance of the order of any *such justice* as aforesaid, shall be repaid with all damages accruing to him, her, or them, by and out of the monies belonging to such Society, or out of the first monies which shall thereafter be received by such Society; provided always, that if it shall appear to *such justice* of the peace, on examining the matter of complaint of the said complainant, that his or her case had been previously and justly decided according to the rules of such Society, against whom the complaint was made, then and in such case the like costs shall be awarded to be paid by such complainant to the said Society, and which

shall be recovered as is hereinbefore directed, in cases where the relief or allowance provided by the rules of any such Society is unjustly received or obtained by fraud. But *such justice* shall have a discretionary power to award the costs of such Society, to be paid by such complainant as aforesaid; as under the circumstances of each particular case may appear just and proper; provided always, that if any member shall appeal from the decision of any general meeting of such Society, who has been denied arbitration to him in manner, and upon the terms hereinbefore mentioned, [see answer to Q. 42,] such appeal shall be made to *two* justices of the peace residing within the county in which such Society shall be held; who shall be empowered to determine the case, and award a like sum for costs as is hereinbefore directed, in cases of arbitrary denials of justice. But if such case should be decided against the complainant, then only 10s. shall be awarded to be paid by him to the Society, for costs, to be recovered of him in manner aforesaid. [To justify the adoption of this clause, I refer you to the petition of Mrs. Susan Andrews, page 60, and also to the facts and considerations advanced in my book, p. 93—99, 112—113.]

Q. 53. Does it occur to you that there are any other material omissions in the Act in question?

A. Yes: I do not find that any power whatever is given to summon or compel the attendance of witnesses before magistrates, committees, or arbitrators; and the truth is, that neither in administering justice under the Friendly Societies' Act, nor under any other Act, which relates either to *civil* disputes or *pecuniary*

penalties, have they (the magistrates) a vestige of power more than what the Act itself gives, which relates to such cases. To remedy this defect, therefore, I propose to introduce the following section, namely,—That it shall be lawful for such justice or justices, at the request of the party complaining, or complained against, to summon all persons as witnesses, and to administer an oath to them or either of them, touching the matter of such complaint, or the defence made thereto; and if any person or persons so summoned shall not obey such summons without any reasonable or lawful excuse, or refuse to be examined upon oath, or if a Quaker, upon solemn affirmation, then every such person so offending shall forfeit and pay a sum not exceeding [*say 40s.*,] to be levied by distress, and that a commitment shall issue in default of such distress, as is hereinbefore directed, in the case of money obtained or withheld from any Society by fraud.

Q. 54. Is there any other defect in the Act 10 Geo. IV., c. 56?

A. Yes: by Section 31, £4. 11s. 3d. per cent. per annum, is allowed for interest on the capital of one portion of Friendly Societies; and £3. 16s. on the capital of the other portion. Therefore my petition contained an earnest request to Parliament, to interfere with Government, that no unequal kindness be allowed to the Friendly Societies. [See answer to Q. 56.]

Q. 55. I took the liberty of asking you by Question 2, how the evils adverted to in my answer to your first question might be remedied; will you explain that now?

A. It would require more room than I have assigned for myself in this friendly interview to answer this question at large. That there is an almost endless variety of contradictory principles, miscalculations, indefinite phrases, &c., in the rules of Societies now extant, is clear. And if you wish to avoid these evils in your rules, allow me respectfully to request you to give my book a candid perusal; and then, I think, upon reflection, you will be fully satisfied upon that point. I beg to add that, if publicly supported, it is my fixed purpose to persevere until I find each little community of Friendly Societies in the united kingdom, established upon just principles, worthy of public confidence and support, and rendered a general blessing to the industrious poor; and I have written a circular letter to the members of both Houses of Parliament to that effect. If, therefore, you are of opinion that the facts disclosed in our friendly intercourse entitle me to public support, be kind enough to bring the matter as early as possible before the members of your Society. And to assist either your Society or yourself personally to prepare a petition to Parliament, I will at the foot hereof adduce extracts of petitions, presented to Parliament by Lord John Russell, on the 2d March, and it may be useful to remark, that petitions to Parliament, may be written on paper in a plain, round hand.

In conclusion I beg to ask, what English patriot can but desire that before the act in question comes under full operation (viz. on the 19th of June, 1832) it may be revised and perfected, so that it may be gratefully hailed as the harbinger of justice and peace; that it may hereafter operate so as to enforce every legal and moral

principle ; perfect the constitution of, and prevent the repetition of crying evils and abuses in Friendly Societies. Lord John Russell has kindly suggested to me, that it is not likely parliament will be disposed to revise the act in question unless more petitions are presented. To you therefore, Sir, I urge, in behalf of the afflicted, the widow, and the orphan poor, the principle deduced from christian philosophy, viz., “ that it is more wise to prevent than correct evils.” And who can tell the sore distress which “ lonely poverty” suffers without the cheering aid afforded by sympathy and pity ? And how, I ask, can the afflicted poor legally make public their sufferings, or procure an act of parliament to be revised ? The spirit of philanthropy is called to exert its noblest energies in a cause like this.

To such Societies, who, for the reasons stated in answer to Question 23, have not yet enrolled themselves, I urgently appeal to assist in this public work, so that whenever, by reason of evils which will arise, they shall find it necessary to resort to the protection of the law of the land, they will doubtless rather have an act of parliament perfected in every principle for their public security, than otherwise. In the mean time, I shall be happy to assist them in any way they please, so as to give full effect to their principles.

Q. 56. But how do you propose to become useful to the public relative to the foregoing matters ?

A. By rendering Friendly Societies such assistance as they may require in the preparation of their rules on sound legal principles, and in forwarding them through the different stages previous to enrolment at the Quarter Sessions ; also by giving ample explanations to all inquiries that may be made by, or on behalf of,

such Societies, relative to all or any of the matters to which our attention has now been briefly directed; and I repeat, what I adverted to in answer to question 23, that it is a matter of importance to all Societies to attend to the careful investment of their capital fund: the advantage of investing with the Commissioners of the National Debt will appear, if you advert to the fact that they will receive any sum not less than £50, and pay interest thereon after the rate of £3. 16s. 0½d. per cent. per annum, to all such Societies as were not formed and enrolled under the act 59 G. III. c. 128; and the sum of £4. 11s. 3d. per cent. per annum, on the capital fund of all such Societies as were enrolled under that act. The commissioners add the interest to the capital fund every half-year, when the accounts are made up and rendered to the Societies: so that no expense is incurred by attending at the bank to receive dividends; but the greatest facility is rendered either in paying or receiving the Societies moneis. Be it remembered, that all investments effected in Savings' Banks, will produce no more than £3. 8s. 5¼d. per cent. per annum; some pay only £3. 5s. Now when it is recollected that the money invested at the Savings' Banks is immediately transmitted to the National Debt Office, I ask, why do the Friendly Societies suffer the Savings' Banks to gain the difference in the interest, to which our attention is now directed? You will find it useful to consult my Treatise on this point, which may readily be done by referring to the index, under the head, "Investment of funds." It has been suggested to me, that if a general London Agency Office was established to effect the above matters for the Societies on moderate terms,

it might be of greater public advantage; and the more so if we advert to the fact, that when Committees of Societies are appointed to prepare or re-model rules, without intending any disparagement to their ability on other matters, it often happens that, after having occupied many months in angry debates, and spent, in some cases, £12, in others £20, for the use of rooms and other incidental expenses, they have adopted any other than sound legal principles. Several Societies have applied for and received my assistance, and thereby avoided the inconveniences and expens just adverted to, and John Tidd Pratt, Esq. being satisfied of the public usefulness of my labours, has kindly promised to further them, as opportunity may offer. To the noble friends of these benevolent institutions, I would respectfully suggest the propriety of their establishing a Society in London, having for its object the publication of some *cheap* popular tracts: relative to the formation of correct tables for the use of Friendly Societies: thus the plan suggested in the answers to Questions 12 to 17, inclusive, might be immediately acted upon, and effect much public good. It is a matter of primary importance that all bodies of men should, with jealous care, watch the progress of all legislative enactments, avowedly made for their protection; and I the more strenuously urge public attention to this subject now, because the government and the legislature of the day are very favourably disposed to Friendly Societies. Let it not, however, be vainly imagined that, if Friendly Societies are indifferent to their personal interests, others will trouble themselves about them. In conclusion, pardon me if I respectfully urge you to join with me in humble prayer, that

the present feeble effort to benefit our fellow-subjects may be crowned with the blessing of Almighty God, without which "nothing is strong," or can succeed ; and that ultimately we may be counted worthy, through our Saviour's worth, to join the general assembly of the Friendly Societies in heaven, where "tears are wiped from off all faces," and where there is "fulness of joy and pleasures for evermore : " in the interim, FAREWELL.

SUPPLEMENT TO DIALOGUE.

Since my friendly interview with "A member of a Friendly Society," I have received several letters relative to the subject matters contained in our conversation, some of which are contained in my Advertisement, at the end of this Supplement. The reader will now excuse a short digression. A respected friend in the country, who has written to me several letters on the general subject, mentions a case of "two old gentlewomen" resident in his town, Christians so called, who consider it (as I gather from the terms of his letter) downright heresy for Jews to preach the Gospel of Christ : notwithstanding their zealous efforts, however, to prevent it, a converted Jew did preach a sermon in the town, and hundreds of persons flocked to hear him : my friend says of the old gentlewomen, "they were born half a century too late ;" aye, I was going to add, upwards of 1800 half centuries too late, twice told ; for although the Jews are cast off for a season, is it not expressly revealed by an inspired Apostle, subsequent to Messiah's resurrection from the dead, that "all Israel shall be saved ?" But I assure my friend, that not only are there "old gentlewomen" now living, "born half

a century too late," but likewise about three mistaken would-be-exclusive public guides (resident in London) of a like stamp, who, to prove their generous regard for Friendly Societies, have made mighty efforts to stop the progress of my public labours, producing the same effect, forsooth, as that which was produced by the old "half-a-century-too-late-born-gentlewomen." The burthen of their contention is, "that the act in question, is a piece of *superlative perfection* in human legislation, the correctness of which position no one *dares* question but myself:" to which I have replied, "fearful as it is I will take issue on the question thus raised, and with confidence look for the public award in my favour."

Q. 1. A visiter now appears and requests the author of the preceding "Dialogue" to state whether he did not, in, and subsequent to, the year 1827, write numerous letters to Lord John Russell, the Rev. J. T. Becher, M. A., Dr. Mitchell, and many other influential persons; also to the Rev. G. Burder, and to the members of the Provident Society at Fetter-Lane, as well as to about 280 other Friendly Societies in the kingdom; also to Messrs. Cotter, Palmer, Russell, Bowles, Gast, and Hunter, as well as a circular to the members of both Houses of Parliament, on the subject matter contained in the preceding Dialogue without fee or reward?

A. Yes: and to very many editors of the popular Miscellanies and Newspapers.

Q. 2. Have you received answers to any of your letters?

A. Very many; here is the correspondence.

Q. 3. Upon looking at that correspondence, my opinion is, that it should be published, in behalf of the

members of Friendly Societies: have you any objection to publish it?

A. Objection to publish it, Sir! why read my statement in the advertisement, page 65, and say if I ought to be at any further expense in publishing; but if the Friendly Societies desire the publication, I have not the least objection to gratify them.

Q. 4. But upon reading Mr. Cotter's last letter to you, I think, in justice to the cause which you have espoused, that you should call a public meeting.

A. I have not the least objection; provided that a committee of gentlemen be formed in London, to conduct such meeting. Perhaps the best way to form such committee would be for the London Societies to delegate a committee, who might issue a circular, respectfully requesting the Friendly Societies to consider the proposed amendments contained in the preceding Dialogue, before the meeting: I propose that the meeting be fixed for about the latter end of September, or beginning of October, and thus sufficient time will be given for mature and satisfactory deliberation. You will excuse my engaging to call a public meeting in any other way. It may be encouraging to mention to you, however, that Mr. Dumbrill, of Brighton, has written a letter to me, dated the 14th May, 1830, stating, "that if a committee is formed in London, and a circular sent to all the Societies, stating it to be necessary to petition Parliament for further amendments in the Act, and that a trifling expense will cover all expenses, he will then endeavour to give me the address of all the Societies he knows of round the country," adding, "several of the Societies in Brighton are favourable to your views." For further informa-

tion I refer you to extracts from letters which I have received from Messrs. Bayley, Gay, Rubie, Fisher, Sanderson, Cotter, and Mackay. (See pp. 68—71.) Under these circumstances I shall wait till I hear again respecting the formation of a committee, for the purposes suggested by Mr. Dumbrill.

Q. 5. A second visiter appears, and gravely asks, Pray, Sir, how is it that human laws are made to restrain the exercise of works of benevolence?

A. Referring you to my answers to Questions 10 and 11 in the preceding Dialogue, I am of opinion, the reason is simply because little petty interests are suffered in many cases to predominate, to the exclusion of freedom. Indeed the children of freedom sometimes weep when they observe how their parent is insulted and abused by men who have got her name at the tip of their tongues, in every sentence they utter; while in very deed they are the despots of the world. Fling open wide (I urge) her doors to Friendly Societies, and then all the evils which I pointed out in my converse with "A member of a Friendly Society," a short time since, will be remedied by the introduction and adoption of all the good principles which our friendly interview suggested: besides, I am very anxious to quicken the pace of the half-century-behind reformers. I should like the author of Section 6, of the Act 10 Geo. IV., c. 56, to read what I have written of his doctrines in pages 27—28 and 83—92 of my "Treatise." I do not like personalities; but, then I am an admirer of British freedom. And I also wish Mr. Courtenay to read what I have stated in answers to questions 17 and 29, in the "Dialogue;" if so, perhaps it would induce

him not to introduce clauses into the Friendly Societies' Act, with so much precipitancy, in future. [See also the order of the justices in Cheshire, p. 71.]

Q. 6. Another visiter in a somewhat quaint phraseology, demands, Pray, Sir, did any thing happen to you on the 27th May, 1830, of public importance?

A. Yes: on that day I attended a second time with the new articles of the Provident Society, to have them enrolled at the General Sessions of the Peace, for the City of London, then held: [see my Treatise on this point, pp. 136—138] but, "No," said the proper officer, "we cannot enrol your rules till the next Sessions, which will be held in July."

Q. 7. Can you tell me the reason?

A. The reason, Sir?—why the reason is suggested in Q. 5, of this Supplement. The truth is, the same court will then sit, and the Rules will then be read (or probably not read at all) by the same person, viz., the Recorder of London. I hope our friends both in the metropolis and the country, will speak out on this point. I will do so without reserve, and maintain at any time and place that the certificate of the barrister under Section 4, of the Act in question, is abundant security to the government on the one hand, and the interests of the Societies on the other, to allow the rules to be enrolled at the office of the Clerk of the Peace for each county, on any day of the year, (holidays excepted.)

Q. 8. An esteemed friend then appeared, and alleged, "I happen to belong to a Friendly Society of Christian people, who were formed by the members of a congregation that hold a Chapel for public worship in Hinde-street, Manchester-square. Our Society invests

its capital with the trustees of the Chapel, and I wish to know if it can do so under the 13th Section of the Act in question ?"—

A. No: and allow me to call your attention to my answer to questions 23 and 32. To effect their object, the trustees and members of your Society should petition the legislature to alter the 13th Section thus: viz. after the words, "and he, she, and they, is and are hereby authorised and required from time to time, by and with the consent of such Society," [then pass the words] "to be had and testified in such manner as shall be directed by the general rules of such Society," [and let the words] "to lay out or dispose," &c. [down to the words ending,] "banking company of Scotland," [stand. Then repeal the following words,] "and not otherwise," [and instead thereof enact,—Or in such other manner as shall be directed by the general rules of such Society,] "in the proper name of such treasurer," &c. [to the end of the Section.] If you petition the legislature to the above effect, you will probably induce others to follow your example, and thus your object may be gained.

Q. 9. Another friend calls and says, "Mr. Wright, you have stated in answer to Q. 36, that each Society is constituted a little independent legislative assembly, and you have grounded that remark on Section 2 of the Act in question, pray have you not omitted a few material words of that section?" [See page 18.]

A. I thank you, Sir: it does appear that I have: they are the following: "And also from time to time to alter and amend such rules as occasion shall require, or to annul and repeal the same, and to make new rules in lieu thereof, under such restrictions as are in

this Act contained:"—but, Sir, I cannot brook "such restrictions" for the reasons stated in answer to Q. 5, of this Supplement.

Q. 10. Be calm, Sir, while I call your attention to the just sentiment which the great bulk of Friendly Societies have publicly expressed, through you, as their organ, page 31, viz.: "that they desire the statute law may embrace all possible contingencies." How, I ask, can that grand desideratum be accomplished?

A. By laying our heads together. I mean at a suitable time to propose to them a friendly challenge, viz., that if they will point out to the legislature a given number of contingent evils; to be even with them I will point out an equal number: and thus effect the grand object advocated in answer to Q. 55:—prodigious! Do you hear, Sir, the clamour which issues from the party travelling in the answer to Q. 11, page 11?

Q. 11. Yes, but what does it mean, pray decypher it if you can?

A. Why Sir, read the account of "the old gentlewomen," given in page 52, and the problem is solved; the truth is, that the company are half a century behind.

Q. 12. In answer to Q. 53, you have drawn a clause to compel the attendance of witnesses to give evidence before magistrates, in questions relating to Friendly Societies: should not the power be extended to the other executive powers mentioned in answer to Q. 36?

A. That point deserves serious public investigation, and I shall be happy to receive communications from Societies thereon, (post paid,) that I may learn what is the public sentiment about it.

EXTRACTS FROM PETITIONS.

*Extract from the Petition of the Provident Society,
Presented by Lord John Russell, March 2, 1830.*

To the Right Honorable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled :

The humble petition of a Friendly Society called the Provident Society, connected with the congregation of Protestant Dissenters under the pastoral care of the Rev. George Burder, of Fetter Lane, London, whose Rules have been duly enrolled at the quarter Sessions of the peace in and for the City of London,

Humbly showeth,

That your petitioners, with profound respect towards your honorable house, acknowledge with grateful emotion the prevailing spirit of paternal regard hitherto manifested by his Majesty's Government, and the Legislature, for the maintenance of the freedom of the Friendly Societies of this Kingdom.

That although £7,000,000. and upwards, is annually raised by the poor rates, the members of Friendly Societies feeling a just national pride, disdain to submit to the hated degradation of parochial relief. Their simple aim is to support each other in sickness and old age, and to provide some suitable relief for their widows and fatherless children, or other relations, after death; to assist each other in business, and render other kind and friendly offices as occasion may require.

That the Provident Society was founded in the year 1806, under the patronage of the Rev. G. Burder, and the Elders of his congregation, by six persons

since, and up to the 21 October, 1828, (the day of his demise) was a member of a Friendly Society duly enrolled, held at the public house called or known by the sign of the Swan, at Market-Street, Beds. That upon the said Thomas Andrews's demise, there was due to your petitioner from the said Society the sum of £12. 2s.

That on the 2d November, 1828, your Petitioner attended at Market-Street in order to receive the said sum, but which the Society refused to pay, alleging that they were then engaged in a lawsuit with one William Goodyear.

That on the 23rd December following, your Petitioner again left London and applied to Samuel Crawley, Esq., a Magistrate of the County of Beds, resident at Stockwell, to enforce the payment of her just demand, but Mr. Crawley said, that the proceeding must be before two magistrates, your petitioner, therefore, applied to the Rev. — Lewis, another Magistrate for the same county residing at Toddington, about nine miles distant from Market-Street, to whose servant she communicated her business; but Mr. Lewis refused to see your petitioner, whereupon your petitioner, called at the house of another Magistrate, residing at Boxmoor, who was coursing in the fields; that your petitioner then applied to — Bingham Esq. another Magistrate of the County of Beds, who likewise said that he had not jurisdiction to act singly.

That your petitioner has a family of five children dependent upon her labour, and that she is in very great distress.

Your Petitioner, therefore, humbly prays that your Honorable house will be pleased to take her case into your serious consideration, and

at the same time she begs leave humbly to suggest the propriety of your establishing the principle that ONE Magistrate have jurisdiction to decide all similar cases, and likewise that in all such cases the principle or rule of law which governs his Majesty's courts of common law, with respect to witnesses who attend to give evidence in those courts, may be established by your Honorable house in behalf of poor claimants on Friendly Societies similarly placed with your petitioner, whose case she humbly submits to your Honorable house is very grievous and quite at variance with British honour and justice. And your petitioners in duty bound will ever pray, &c.

[signed in the presence of Jas. Wright] Susan Andrews,*

The Petition which I took the liberty of addressing to the House of Commons adverted to nearly all the objections in the act, stated in the preceding Dialogue, and concluded with the prayer stated in answer to Question 25.

Extract from a Petition intended to be presented to Parliament by the "Provident Society," Corsham, Wilts.

In a letter which I have received from Mr. George Gay, the Secretary of the Corsham Provident Society, dated "Corsham, April 30, 1830," he states, that it is the intention of that Society to petition the legislature to the following effect:—

"That your Petitioners have for these nine years past

* The prayer of this petition will be complied with by adopting the clause stated in answer to Q.51.

established the **Provident Society** in order to supersede the evils attendant on **Public-house clubs**, which evils also the legislature has since taken into consideration, but from the changes and alterations made in the laws from time to time, your petitioners found it difficult to get their Rules enrolled, although they have made several applications to different persons for that purpose, until **Mr. Wright**, of **Smith Street, Northampton Square**, advertised his "**Letter to Friendly Societies**," of which your petitioners procured a copy, and then applied to him. That your Petitioners have now upwards of 200 members, and that for the last two years they have paid upwards of £100. per annum to the sick &c.: and thns they have considerably diminished the poor's rate at **Corsham**, during the prevailing distress which our nation has experienced for some time past: that in consequence thereof, the parish has not in fact suffered so much on account of the said distress as the neighbouring parishes have done: your Petitioners therefore humbly consider, that their Society is worthy of the protection of Government and of the legislature; and although your Petitioners have instructed **Mr. Wright** to prepare their rules for enrolment, as the law now is, they nevertheless believe that for the benefit of **Friendly Societies** in time to come, the law is yet capable of improvement in the following particulars."

Mr. Gay adds "We shall wait for your Dialogue before we conclude the draft of our petition."

I beg to call the benevolent attention of the **Corsham "Provident Society"** to the case of the "**Temperate Friendly Society**," held in the public School-room, **Sandbach, Cheshire**: [see **Mr. Bay-**

ley's letter, p. 68.] By reason of the Justice's order for Cheshire, copied on page 71, that society is subject to the inconvenience and expense stated in answer to Q. 29. Will Mr. Gay, who, by his letters, appears to be a benevolent man, allow this case to go unnoticed, when the subject matter of the petition of the "Provident Society" is under discussion? The question affects several of our friends, who have applied for my assistance to form Societies on good principles; and all such Societies as were formed subsequent to the 19th of June, 1829. Let us prove that Friendly Societies are eminently one in national love and unity. Mr. Bayley in his last letter, (dated May 26, 1830) states,—“The magistrate's order puts us to a stand: we should be glad if the barrister's signature would give them satisfaction.”

ADVERTISEMENT.

4, *Smith Street, Northampton Square, June, 1830.*

MR. JAMES WRIGHT, begs leave to announce to the public, that he has opened an Office at the above place, in order to assist the benevolent friends of Friendly Societies, as well in the formation of such Societies, as in the establishment of each little community upon sound legal principles. Having been engaged in professional pursuits upwards of twenty years, and devoted much of his time to the consideration of the best practical method of effecting universal reform in Friendly Societies, the result of his laborious researches will be found in his publications, of which some notice is hereafter given. It will readily be perceived that if Mr. Wright is liberally supported,—he can apply his practical knowledge to great public advantage. He has corresponded for some time past with the Friendly Societies in different parts of the kingdom,—made himself generally acquainted with their diversified principles, and is therefore desirous that the knowledge thus acquired

may not be lost for want of public support: but he is too well acquainted with the honourable feelings of his countrymen to doubt that such support will be withheld, when his plan shall have been fairly developed and brought before them.

Mr. Wright trusts that his voluntary and unwearied exertions in behalf of Friendly Societies, will entitle him to their public confidence and patronage, and thus they may return to him a moderate remuneration for his public services, and repay the expenses which he has incurred in their behalf: an account of which expenses is as follows: viz.,—

To the amount of his publisher's charge for the Treatise } afterwards advertised	81	5	0
To charge for printing "Letter to the Friendly Societies" &c.	12	10	0
To charge for printing circular to the members of both houses of parliament	20	0	0
Do. to the members of Friendly Societies			
Do. to the Ministers of Religion			
Do. containing an account of the present work			
Do. containing an account of the Treatise and Letter, and Mr. Wright's motive in publishing his Treatise, issued in 1829, about	3	3	0
Paid for advertisements, &c., &c., about	15	0	0
In all, (besides the expense of printing and publishing the present Dialogue)	£131 18 0		

The Provident Society at Corsham, and several benevolent friends, wishing to establish just principles and to promote the public welfare of Friendly Societies, have lately subscribed in aid of Mr. Wright's expenditure in all about £12. That the public may know what "poor authors" receive for their works, Mr. Wright subjoins his publishers' account of the Treatise, up to March 1830, as follows, namely:—

"Wright's Friendly Societies in account with Saunders and Benning.

DR.			CR.		
April 1, 1829.	£.	s. d.	April, 1829.	£.	s. d.
To expenses, printing, paper, &c. }	81	5	0	By 750 copies	
Ware-room	0	5	0	181 sold at 3s. 5d.	30 18 6
Insurance	0	5	0	569 remain.	
Commission on £30. 18s. 5d. }	2	6	5	To balance.....	53 3 0
	84	1	5		84 1 5

43, Fleet Street,

March 29. 1830.

Herewith you receive the account of the Friendly Societies up to the 31st Dec. last. About 50 copies have been sold since that time."

In answer to the letter which Mr. Wright has lately received from Mr. Pearson, of Steeton, near Keighley, Yorkshire, in behalf of 24 or 25 persons, resident in that village, desirous of establishing a Friendly Society, on the safest principles for permanent security, he will be happy to render them, (as well as other persons from whom he has received applications similarly situated), his assistance upon the most moderate terms. To the benevolent and affluent friends of these highly useful institutions, Mr. Wright submits the above plain statement of facts: and having a family of six children, trusts his proposed labours are worthy of public patronage. In order to proceed with his plans, and become generally useful, he intends that all his charges shall square with the golden rule, "As ye would that men should do to you, do ye even so to them;" but as each case varies in point of trouble and loss of time, &c., he cannot form a scale to meet every case, but must be governed by the rule just cited. His method is to urge the prevention of all contingent evils, rather than wait for the correction of them hereafter:—not to dictate, but rather to suggest and give legal effect to all the benevolent principles and plans of the noble friends of these highly useful institutions; and if to those friends his works are in any respect rendered useful, he will have a rich reward. If any person should ask, why all this ado? That question is best answered by asking another. Is it a matter of no importance that 2,000,000*l.* sterling,—belonging to one million of the industrious "working classes," should be placed under wholesome regulations, so as to find its way through legitimate channels to the afflicted, the aged, the widow, and orphan, to whom it of right belongs, and not suffered to travel into other channels? [See answer to Q. 56.]

To all Mr. Wright's kind friends he return his warm and grateful acknowledgments; and they may depend upon a prompt and faithful discharge of the trusts which may be reposed in him; and he hopes they will lose no time in collecting the sense of the Friendly Societies in their respective towns throughout the kingdom on the matters disclosed in the Dialogue and Supplement.

Mr. Wright gives legal advice to Societies, or individual members thereof, and advocates their respective causes in disputed cases before magistrates.

All Societies may receive personal or written communications from Mr. Wright, gratis, on all the matters referred to in the answer to Q. 56; but all legal cases, requiring elucidation and advice, a discretionary, but moderate fee may be sent with the case, just what the party considers right: poor persons' cases will be answered gratis.

Mr. Wright has given on page 72, the form issued by the Commissioners for the Reduction of the National Debt, to be observed by such Societies as may honour him with an appointment as their general London agent.

[All letters to to be post paid.]

A TREATISE
ON THE
INTERNAL REGULATIONS OF FRIENDLY SOCIETIES,

Showing the various existing evils, and practical remedies, and expounding the doctrine of restitution: also a code of rules: with forms for the use of magistrates, in questions relating to such Societies: in which is given all the material decided cases in law and equity. To which is added, The New Act, 10 Geo. IV. c. 56; and an Appeal to Lord John Russell, M. P., on the present state of the Law relating to such Societies; with a copious Index; by JAMES WRIGHT. London: Saunders and Benning, 43 Fleet-street. Sold by the Author, 4, Smith-street, Northampton-square.

By the same Author, A Letter to the Friendly Societies of the United Kingdom, being an exposition of the material clauses in the New Act, 10 Geo. IV., c. 56; particularly on the alterations and amendments required to be made in the Rules of Friendly Societies. Published by J. Stephens, 16, City-Road; and sold by the Author, Price 6d.

*Extract from a Review in the Imperial Magazine for December, 1829,
p. 1115.*

“Of these movements, variations, and vicissitudes, Mr. Wright has availed himself, and, gathering information from what other individuals have written, and Societies have done, and connecting them with his own observations, he now presents to the public the results of his extended researches. No one can read this volume without being convinced, that the subject of Friendly Societies has engrossed a considerable portion of his attention, that he has made himself extensively acquainted with the principles on which they are founded, has traced these principles through their varied operations to distant issues, and noticed, through their diversified stages, the advantages or disadvantages to which occasional circumstances have given birth. So fully, indeed, has he entered into the subject, that there is scarcely a question which can be asked respecting these institutions, for which he has not provided an answer.”

Again, “Even magistrates may consult it with no small advantage.”

Again, “Much that has been advanced by others Mr. Wright has embodied in his own pages. This, in connection with his own remarks, is associated with the laws as they now stand, and thus combined, the whole will form an ample basis, on which future progress may be made towards perfection.”

And lastly, “To Friendly Societies it is a work of superlative value, and one which no community of this description should be without. It contains much useful information, which they may easily reduce to practice, and furnishes their deliberations with an

intelligent guide, both in reference to the rules they may adopt, and the application of law to their decisions."

Extract from the New Baptist Miscellany, for February, 1830, p. 75.

"Mr. Wright has rendered a service to the public by calling its attention to a subject of vast importance to the morals and happiness of the community. The benefits arising, to the inferior classes especially, from the institution of Friendly Societies, are obvious and extensive; and every effort to extend these benefits, and to render them more permanent and secure, by guarding against the sources of failure which miscalculation has produced, is entitled to grateful consideration. Mr. Wright has evidently paid much attention to the subject on which he writes; has viewed it in all its bearings, and has here presented to the world many valuable hints and directions, worthy of the serious regard of all who are concerned, either beneficially or benevolently, in the management of such institutions."

From the Weekly Free Press.

"The Letter of Mr. Wright, who is advantageously known to the public as the author of a "Treatise," &c., contains a very lucid and useful exposition of the leading principles of the New Act. The author has evidently bestowed much attention upon the subject, and his legal knowledge and indefatigable exertions, entitle him to the confidence and gratitude of every member of Friendly Societies."

From Lord John Russell to James Wright.

"SIR,—I am much obliged to you for the present of your work on Friendly Societies, which contains very valuable and useful matter. I should be happy to be of any use to the public on this subject, but it is at present in other hands, and I have not yet been able to make up my mind completely on the improvements of which the law is susceptible."

"I remain, Sir, your obedient Servant,

Half-Moon-street, April 2.

"JOHN RUSSELL."

From Dr. Mitchell to James Wright.

"DEAR SIR,—Your reasoning upon the subject of full and half-pay is very valuable, and your book has the more merit that it is the result of your own resources, which your own observation has enabled you to turn to good account. In having reformed one important Society, you have done much practical good: wishing you much success in all your philanthropic exertions,

"I am, dear Sir, your very obedient Servant,

36, Old Broad-street.

"JAMES MITCHELL."

From Mr. John Bayley, High Steward of the Temperate Friendly Society, Sandbach, to James Wright, 31st March, 1830.

"Upon reading the advertisement in the Evangelical Magazine, induced me without delay to send for your Treatise, and when in possession of the spirit that flowed in its pages, for the author's

welfare of Friendly Societies overwhelmed me, and when read to our Society they would have no other principles for their government." Mr. B. likewise requests Mr. Wright to forward the rules through every stage previous to enrolment at the Quarter Sessions.

From Mr. George Gay, Secretary of the Provident Society, Corsham, to James Wright, March, 1830.

"On seeing the advertisement of your Letter to Friendly Societies in the Evangelical Magazine, I immediately ordered a copy, and was rejoiced to find that you had taken such an interest in a Society so nearly akin to our own. I am a member of the "Provident Society," instituted by the Rev. G. Slade: he brought us some rules from Lavington, on which we endeavoured to improve; a copy of which I send you for examination. I have taken this liberty in the name of the Society, earnestly to solicit your aid in our behalf; for you must know that we have been a long time in a dilemma, but now see that you are the only gentleman to help us out, and am extremely happy in being by Providence thus directed," &c. &c.

From the same to the same, March 31, 1830.

"Happy am I to find that you are so kindly and promptly disposed to listen to our solicitations respecting the enrolment of the rules, which, through the interference of the Legislature, (though no doubt from good design) has of late become so perplexing and difficult to be obtained. Our Society, Sir, is denominated a Provident one, and I consider it to be quite *providential* to be directed (as I hinted before) by *Providence* to such a person as you, who appears to be ordained by the decree of heaven to make a plain and direct path for Friendly Societies to walk in," &c.

Again, "Last evening I called our committee together, and read to them your letters, &c., when it was unanimously and cordially agreed, that you should proceed to prepare the rules, and send them for our consideration. Five pounds were also voted you, to enable you to carry on your proposed public usefulness, hoping that you will be moderate in your future charges to us, and lay out yourself in the best possible way for the public (as well as our own) benefit, for which purpose you appear *to us all* to be eminently qualified, and ought to be encouraged. It was also agreed, that you should send us half a dozen copies of your Dialogue, and form of Petition, when printed, and there is no doubt, but we shall readily and heartily join your prayer to Parliament."—Again, "I cannot but think it would be a good thing were similar institutions to be established in every parish or district; and to that end I some time ago inserted a paragraph in the Bath and Cheltenham Gazette. Our Society, Sir, has the praise of the whole neighbourhood."

Extract from the Introduction to the New Rules of the Provident Society, Corsham.

"The Corsham Provident Society was instituted on the 3d day

of April, 1821, under the patronage of Mr. George John Archer, Bailiff of the Manor, and the Rev. George Slade, Minister of the Gospel, of Corsham, who, in conjunction with the committee of management, in the month of March, 1830, directed their attention to the numerous advantages to which the Society would be entitled, if the rules thereof were re-modelled and enrolled, according to law; and in order to effect that desirable object, they applied to Mr. James Wright, of No. 4, Smith-street, Northampton-square, London, who promptly rendered his valuable assistance, and it is due to that gentleman publicly to acknowledge, that the committee are indebted to him for many valuable suggestions of improvement, in the laws and general administration of the affairs of the institution."

For an account of the numbers and usefulness of the Provident Society at Corsham, see page 62 of this book.

From the same to the same, 20th May, 1830.

"In the mean time I walked to Lavington, (18 miles) on purpose to learn how they had succeeded in their Society, (from whence we copied,) they told me their rules were never enrolled, and advised me not to get ours done, that the magistrates should have no power in it. I advised them to send for your book, and gave them some of your circulars, to which they seemed to listen, and distributed the rest in sundry places."

Will the Lavington Society do me the favour of reading the answers to questions 23 55 and 56 in the present work?

From Mr. George Rubie, Clerk of the Friendly Society, Hastings, to James Wright, 21st April, 1830.

"I have taken the first opportunity of laying your letter to Friendly Societies before the members of our Society, at a general meeting: they concur with you in believing that amendments are necessary, but before they venture upon any public avowal of their sentiments, they wish to obtain a better knowledge of the principles of the new Act, and especially of the objectionable clauses, than they have at present. For this purpose they have authorised me to purchase your "Treatise" and "Dialogue." You will therefore deliver a copy of each to the bearer who is entrusted with the money to pay for them. We corresponded with the late Committee of London Delegates, and stated to them our objections to the arbitration clause, and the method of certifying rules, &c. Our objection to the 4th Section was, that of subjecting Benefit Societies, and especially those in the country, to very great and unnecessary expenses; and to Section 27, the almost impossibility of finding the number of qualified persons to serve as arbitrators," &c.

From Mr. Thos. Fisher, Old Windsor, to James Wright, 4th May, 1830.

"SIR,—We got your circular to the club, and feel much obliged to you. Will thank you to send one of your Treatises and Dia-

logue; our minister has a great wish to see the book; when we have read them you shall hear again from us."

From Mr. W. Sanderson, University Printing Office, Cambridge, to James Wright, March 3, 1830.

"RESPECTED SIR,—The Societies of this town having formed a committee of delegates, for the purpose of forming a code of rules for the management of their respective Societies, and having your valuable Treatise now before them, have thought it proper, knowing it to be your intention to petition the legislature respecting various clauses of the recently enacted bill, to request you will furnish us with the nature thereof. The committee (to the number of 26) having most of them your work for their guidance, hope they are not intruding themselves upon your attention."

Extract of a Letter from Mr. Garret Redmond Cotter, Chairman of the late Committee of London Delegates, to James Wright.

"I have no hesitation in asserting that your Treatise contains a fund of information which very few have the opportunity of obtaining; and I would earnestly recommend that all Societies should furnish themselves with a copy of it."

Extract of a Letter from Mr. Thomas Mackay, Birmingham, to James Wright, 27th May, 1830.

"We have had a committee formed, and it was unanimously agreed that we should possess a few of the copies of your Dialogue, that we might be better able to comprehend the objectionable clauses in the Act 10 Geo. IV. I have inclosed 12s., for which you will please send as many copies as that sum will purchase. I will endeavour as far as in me lies, to obtain as many subscribers for your work as I can, for I believe it to be a praiseworthy and laudable undertaking on your part, to come forward, unassisted, on behalf of Friendly Societies; wishing you every success your laudable work and zeal so highly merits."

Copy of an Order issued by the Magistrates for Cheshire, under the 10th Geo. IV., c. 56, s. 6. [vide answers to questions 17 and 29, in the Dialogue.]

"By an order of the Quarter Sessions of the Peace, it was determined that all rules for the government of the funds of Friendly Societies, should, previous to their being tendered for the confirmation of the Court, be certified by *two* actuaries, or persons skilled in accounts, stating the same to be calculated so that the funds of the Society shall be adequate to the probable demands upon them.

(Signed)

"HENRY POTTS,
" Clerk of the Peace."

FRIENDLY SOCIETIES,

Enrolled subsequent to 28th July, 1828.

(See page 66.)

INSTRUCTIONS to the COMMISSIONERS for the REDUCTION of the NATIONAL DEBT, to prepare the Appointment of an Agent for a FRIENDLY SOCIETY, called the SOCIETY, established at _____ in the County of _____

Insert at length the Names of two Trustees.

State Residence of Trustees and Quality.

Insert at length the Name or Names of the Person or Persons intended to be appointed Agent, or Agents.

Residence of Agent or Agents, and Quality.

Witness hand this _____ day of _____

When this Paper is filled up and signed by one or more Trustees (or by some Person on his or their behalf) it must be produced at the National Debt Office, after which the Instrument of appointment will be prepared for the Signature of the Trustees, whose names are inserted in the above column.

The Instrument of Appointment is similar to a Power of Attorney, and will remain in force until revoked by the Trustees.

The Appointment also becomes void upon the death, or resignation, of either of the Trustees who shall sign the said Appointment.



