

Rules to be made
directing how dis-
putes shall be
settled.

three calendar months, as to them shall seem fit; provided nevertheless, that nothing herein contained shall prevent the said Society from proceeding by indictment or complaint against the party complained of; and provided also, that no party shall be proceeded against by indictment or complaint if a previous conviction has been obtained for the same offence under the provisions of this Act.

XXII. And be it 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, and any individual member thereof, or person claiming on account of any member, shall be made to such of Her Majesty's Justices of the Peace as may act in and for the County in which such Society may be formed, or to arbitrators to be appointed in manner hereinafter directed; and if the matter so in dispute shall be referred to arbitration, certain arbitrators shall be named and elected at the first meeting of such Society, or Committee thereof, that shall be held after the enrolment of its rules, none of the said arbitrators being beneficially interested, directly or indirectly, in the funds of the said Society, of whom a certain number, not less than three, shall be chosen by ballot in each such case of dispute, the number of the said arbitrators and mode of ballot being determined by the rules of each Society respectively; the names of such arbitrators shall be duly entered in the Book of the said Society in which the rules are entered as aforesaid; and in case of the death, or refusal, or neglect of any or all of the said arbitrators to act, it shall and may be lawful to and for the said Society, or Committee thereof, and they are hereby required, at their next meeting, to name and elect one or more arbitrator or arbitrators as aforesaid, to act in the place of the said arbitrator or arbitrators so dying or refusing or neglecting to act as aforesaid; and whatever award shall be made by the said arbitrators, or the major part of them, according to the true purport and meaning of the rules of such Society, confirmed by the Justices according to the directions of this Act, shall be in the form to this Act annexed, and shall be binding and conclusive on all parties, and shall be final, to all intents and purposes, without appeal, or being subject to the control of one or more Justices of the Peace, and shall not be removed or removable into any Court of Law, or restrained or restrainable by the injunction of any Court of Equity; and should either of the said parties in dispute refuse or neglect to comply with or conform to the decision of the said arbitrators, or the major part of them, it shall and may be lawful for any one Justice of the Peace residing within the County within which such Society shall be held, upon good and sufficient proof being adduced before him of such award having been made, and of the refusal of the party to comply therewith, upon complaint made by or on behalf of the party aggrieved, to summon the person against whom such complaint shall be made to appear at a time and place to be named in such summons, and upon his or her appearance, or in default thereof, upon due proof upon oath of the service of such summons, any two Justices of the Peace may proceed to make such order thereupon as to them may seem just; and if the sum of money so awarded, together with a sum for costs, not exceeding the sum of ten shillings, as to such Justices shall seem meet, shall not be immediately paid, then such Justices shall, by warrant under their hands and seals, cause such sum and costs as aforesaid, to be levied by distress or by distresses, and sale of the monies, goods, chattels, securities and effects belonging to the said party or to the said Society, or other legal proceeding, together with all further costs and charges attending such distress and sale or other legal proceeding, returning the overplus (if any) to the said party or to the said Society, or to one of the Trustees or Treasurer thereof; and in default of such distress being found, or such other legal proceeding being ineffectual, then to be levied by distress and sale of the proper goods of the said party, or of the said Society so neglecting or refusing as aforesaid, by other legal proceedings, together with such further costs and charges as aforesaid, returning the overplus (if any) to the owner: Provided always, that when the rules of any Society provide for a reference to arbitrators of any matter in dispute, and it shall appear to any Justice of the Peace, on the complaint, on oath, of a member of any such Society, or of any person claiming on account of such member, that application has been made to such Society, or the Trustees or Treasurer, or other officer thereof, for the purpose of having any dispute so settled by arbitration, and that such application has not within forty days been complied with, or that the arbitrators have neglected or refused to make any award, it shall and may be lawful for such Justice to summon the Trustee, Treasurer, or other officer of the Society, or any one of them