

*Australian Gas Light Company.*

ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

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AUSTRALIAN  
GAS LIGHT COMPANY.

An Act to amend an Act intituled “ *An Act for lighting with Gas the Town of Sydney in the Colony of New South Wales and to enable certain persons associated under the name style and firm of ‘The Australian Gas Light Company’ to sue and be sued in the name of the Secretary for the time being of the said Company and for other purposes therein mentioned* ” and for better enabling the said Company to purchase hold and dispose of real and personal Property. [5th September, 1849.]

Preamble.

8 Wm. IV.

Australian Gas  
Light Company's  
Act.

3 Vic.

Do. amendment.

WHEREAS by an Act of the Governor of New South Wales with the advice of the Legislative Council thereof passed in the eighth year of the reign of His late Majesty King William the Fourth intituled “ *An Act for lighting with Gas the Town of Sydney in the Colony of New South Wales and to enable certain persons associated under the name style and firm of ‘The Australian Gas Light Company’ to sue and be sued in the name of the Secretary for the time being of the said Company and for other purposes therein mentioned* ” it was enacted That the several persons therein particularly mentioned or referred to and their respective successors executors administrators and assignees should be and they were thereby united into a company of proprietors by the name of “ *The Australian Gas Light Company* ” for certain purposes in the said Act mentioned and that the affairs of such company should be under the care management and superintendence of twelve directors one of whom should be the Chairman of the said company which Chairman and directors were to be elected in the manner therein mentioned And whereas the said Act was afterwards amended by an Act of the Governor and Legislative Council passed in the third year of the reign of Her Majesty Queen Victoria intituled “ *An Act to amend an Act intituled ‘An Act for lighting with Gas the Town of Sydney in the Colony of New South Wales and to enable certain persons associated under the name style and firm of ‘The Australian Gas Light Company’ to sue and be sued in the name of the Secretary for the time being of the said Company and for other purposes therein mentioned* ’ ” And whereas there are certain provisions in the first recited Act for the purpose of enabling the said company to purchase acquire and to hold land in the said Colony and to dispose of the same by means of trustees in manner therein mentioned And whereas in the said Act all goods and chattels of what nature or kind soever belonging to the said company are declared to be vested in certain trustees therein named And whereas doubts have arisen as to whether the provisions in the said Act respecting land are sufficient for the purposes intended by the said

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said Act and it is expedient to remove such doubts and more fully to define the estates rights and liabilities of the said company in respect of the said lands and more fully to declare in whom the same shall be vested on behalf of the said company and to empower the said company through its officers to dispose of the said land and the goods and chattels of the said company And whereas provision is made by the first-recited Act for recording the name of the Secretary for the time being of the said company in the Supreme Court of New South Wales Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof and by the authority of the same That all the present and future freehold and leasehold lands messuages tenements and hereditaments which have been purchased or acquired or which shall or may be purchased or acquired by or on behalf of the company or to which the said company is or shall become entitled shall and may be conveyed assigned demised or assured (as the case may be) to or vested in Ralph Mansfield the Secretary of the said company or to or in the person whose name at the time of such conveyance assignment demise or assurance shall be recorded in pursuance of the first hereinbefore in part recited Act and of a certain Act of the Governor and Legislative Council of the said Colony made and passed in the eleventh year of the reign of Her present Majesty Queen Victoria and intituled "*An Act to enable any Joint Stock Company to sue any of its Members and to enable any Member of any such Joint Stock Company to sue any such Company and for other purposes*" as the Secretary of the said company his heirs executors administrators and assigns for such estate or estates term or terms of years interest or interests as in such conveyance assignment demise or assurance shall be mentioned expressed or declared and so often as any person shall cease to be the Secretary of the said company such freehold and leasehold lands messuages tenements and hereditaments shall without any conveyance assignment demise or assurance vest in the person who shall be the next succeeding Secretary of the said company immediately on his name being recorded as aforesaid for such estate or estates term or terms of years or interest or interests and to and for the same uses and upon the same trusts and to and for the same ends intents and purposes and with under and subject to the same powers as the same were held by the Secretary in whose room or place he shall have been so appointed as aforesaid at the time of his ceasing to be Secretary as aforesaid and so on *toties quoties* so often as any person shall during the continuance of the said company cease to be Secretary of the said company and a new one be appointed in his place and his name be recorded as aforesaid And further that the Secretary for the time being of the said company shall from time to time and at all times hereafter sell demise convey and assure the said freehold lands messuages tenements and hereditaments to such person or persons for such estate or interest (not exceeding the estate or interest of such Secretary therein) as any five or more of the directors for the time being of the said company shall from time to time under their hands and seals direct or appoint.

Lands may be vested in the Secretary and may be conveyed by him under the direction of five or more directors.

11 Vic. No. 56.

2. And be it further enacted That all account-books accounts minutes records and all other books kept by any officer of the said company and relating to the affairs of the same and all furniture goods and chattels of what nature or kind soever now being or at any time hereafter to become the property of the said company shall be and the same are hereby declared to be vested in the said Ralph Mansfield or in the Secretary for the time being of the said company for the use and benefit of the said company and shall be disposed of in such manner as any three or more of the directors for the time being of the said company shall from time to time direct.

Chattels of the company to vest in the Secretary for the time being.

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Secretary with the consent of five directors to purchase lease and let.

3. That the Secretary for the time being of the said company may with the consent in writing of five or more of the directors for the time being of the said company purchase in fee simple or for any less estate or may take upon lease or otherwise hire buy or procure any house or houses or land or ground which five or more directors for the time being of the said company shall from time to time think requisite or necessary for carrying on and managing the business of the said company and the said Secretary for the time being of the said company may at any time or times afterwards with such consent in writing as aforesaid sell let demise exchange or otherwise dispose of all or any part of such land ground house houses or buildings contracted for or to be hereafter purchased as aforesaid or otherwise belonging to the said company for the benefit of the said company and may with such consent as aforesaid make every or any such sale by public auction or private contract or partly in each such mode as he shall think most advisable and all such land ground houses and buildings so to be purchased procured or obtained as aforesaid shall be deemed personal estate and part of the capital of the said company and shall be conveyed to and vested in the Secretary for the time being of the said company for such estate and upon such trusts and purposes as five of the directors for the time being of the said company shall direct or appoint Provided that the said company shall not at any one time hold or be possessed of land exceeding in the whole ten statute acres.

Power to appoint and remove Secretary.

4. Provided always and be it further enacted That it shall be lawful for five or more of the directors of the said company under their hands and seals to accept the resignation of and to discharge from the duties and trusts herein contained and to suspend and remove from office any Secretary for the time being of the said company and in case of a vacancy in the said office from any cause whatever the same or another person to appoint to the said office and immediately after such appointment the freehold and leasehold lands tenements and hereditaments goods and chattels whereof the said Secretary so discharged or being removed shall have been a trustee for the said company shall vest in the new Secretary so to be appointed as aforesaid on his name being recorded as aforesaid for the same estate or estates term or terms of years interest or interests and to the same uses and upon the same trusts and to and for the same ends intents and purposes and with under and subject to the same powers as the same were held by the Secretary in whose room or place he shall have been so appointed as aforesaid at the time of his ceasing to be Secretary as aforesaid.

Power for Secretary or treasurer to give receipts.

5. And be it further enacted That the Secretary treasurer or three or more of the directors for the time being of the said company shall be and are hereby fully authorized to receive on behalf of the company all purchase and other moneys now or hereafter to become due owing payable or now or hereafter belonging to the said company or which the said company is or shall become entitled to receive from any person or persons whomsoever in consideration of any sale or lease of the freehold or leasehold estates of the said company or otherwise howsoever and that the receipt or receipts in writing of the Secretary or treasurer for any purchase or other moneys as aforesaid shall exonerate the person or persons paying the same from all liability in respect of the same and from all liability in respect of the application or non-application of the same Provided always that nothing herein contained shall release or exonerate or be deemed to release or exonerate any Secretary or treasurer from any liability to the said company to which he would otherwise have been subject if this Act had not been passed.