

An Act to vest the Trust Moneys Securities and Property of “The Liverpool and London Fire and Life Insurance Company” in this Colony in the Local Trustees of the said Company for the time being. [23rd February, 1857.]

LIVERPOOL AND
LONDON FIRE AND
LIFE INSURANCE
COMPANY.

WHEREAS in the year one thousand eight hundred and thirty-six a company or association was established in England by the name of “The Liverpool Fire and Life Insurance Company” for the purposes of making and effecting insurances on houses warehouses and buildings shipping in port goods wares merchandise farming stock utensils and property of all descriptions against loss or damage by fire insurances on lives and survivorships the sale and purchase of annuities reversions and contingent interests and the endowment of children and generally to carry on the business usually called or known as fire and life insurance and all matters connected therewith And whereas upon the establishment of the said company or association a deed of settlement was made dated the twenty-first day of May one thousand eight hundred and thirty-six And whereas by an Act of the Imperial Parliament passed in the eleventh year of the reign of Her present Majesty intituled “*An Act to change the Name of the Liverpool Fire and Life Insurance Company and for other purposes relating thereto*” the name of the said company was changed to “The Liverpool and London Fire and Life Insurance Company” And whereas a supplemental deed of settlement was made by the said company dated the twenty-eighth day of February one thousand eight hundred and fifty-one And whereas by the third clause of the said supplemental deed power is given to the board of direction for the time being of the said company from time to time to appoint in any district city town or place in any Colony or Possession of the United Kingdom local boards of directors And whereas by the eighth clause thereof it is declared that the said board of direction shall have full power and authority to delegate to each or any such local board in such manner as they shall be advised and think proper all and singular or any of the functions duties privileges and powers with which they then were or thereafter might be invested including the power to sign policies to appoint and employ agents to execute letters of attorney to retain invest and employ on behalf of the company any money securities for money or other property of the company which may come into their hands and generally to do such other acts as may be necessary for the full and complete discharge and performance of all matters and things connected with the business of the company in the place for which such local board might be appointed And whereas by the ninth clause of the said supplemental deed it is declared that any investment which may be made by any such local board in any British Colony shall be made and taken in the names of three Trustees who shall be residents in such Colony And whereas the board of direction of the said company by virtue of the power given to them by the said supplemental deed of settlement has appointed a local board of directors in the city of Sydney in this Colony And whereas the said local board of directors by virtue of the powers delegated to them by the board of direction has appointed Joseph Scaife Willis Edward Knox and George Kenyon Holden all residents in this Colony to be the now Trustees for the company in whom all lands tenements and hereditaments situate in this Colony belonging to the company as absolute owners or as mortgagees or otherwise and all moneys belonging to

Liverpool and London Fire and Life Insurance Company.

to and invested for the said company in this Colony and all securities for or relating thereto are now vested And whereas in consequence of the death resignation or departure from the Colony of the local Trustees or any of them it may become necessary from time to time to appoint new Trustees in the place of those so dying resigning or leaving the Colony and upon every such new appointment the trust moneys securities and property of the company would in the absence of any special law in relation thereto have to be transferred to the new Trustee or Trustees as the case may be whereby the titles thereto would become unnecessarily complicated and great expense would be occasioned to the company And whereas such complication and expense can be prevented by vesting the trust moneys securities and property of the company by operation of law in the local Trustees for the time being of the company without requiring the same to be assigned transferred or conveyed to the new Trustee or Trustees on every change of Trustees And whereas this cannot be effected without the aid and authority of the Legislature Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows—

Memorial of the names of the directors and Trustees to be recorded.

1. The Sydney local board of directors of the said company for the time being shall within thirty days after the passing of this Act cause a memorial of the names of the said Sydney local directors and of the local Trustees of the said company for the time being in the form or to the effect for that purpose set forth in the Schedule to this Act annexed to be recorded in the office of the Supreme Court of this Colony at Sydney And when and as often as any new local director or Trustee shall be appointed then the said local board shall within thirty days thereafter cause a like memorial of the names of the then local directors and Trustees including such new director or Trustee in lieu of the director or Trustee in whose place he shall have been appointed to be recorded as aforesaid.

Memorial to be verified by declaration.

2. Every such memorial shall be verified by the solemn declaration of the local or resident secretary of the company or in case there shall be no local or resident secretary at the time or in his absence then by the solemn declaration of one of the local directors for the time being.

Memorial recorded to be conclusive evidence.

3. The memorial last recorded shall be conclusive against the company of the persons named in such memorial as the local directors and Trustees thereof being such local directors and Trustees of the company for the time being and of the regularity of their or his appointment And the acts and deeds of the persons so named in such memorial shall be binding on the company notwithstanding that they shall not be the directors and Trustees thereof.

Trust moneys land and other property to be vested in the Trustees for the time being.

4. From and after the passing of this Act the trust moneys securities property lands tenements and hereditaments of the said company which now belong to the company in this Colony and which are now vested in the said Joseph Scaife Willis Edward Knox and George Kenyon Holden or which may hereafter belong to or be acquired or obtained within this Colony by the said company whether as absolute owners thereof or otherwise shall vest and be vested in the local Trustees of the said company at Sydney for the time being by force of this Act and by virtue of their appointments merely without an assignment transfer or conveyance and the said local Trustees for the time being shall have the same powers and rights both at law and in equity with respect to the said trust moneys securities property lands tenements and hereditaments of the company so vested in them as aforesaid as they would have if the same had been duly assigned transferred or conveyed to them or him.

Australian Mutual Provident Society.

THE SCHEDULE REFERRED TO BY THE FOREGOING ACT.

MEMORIAL of the names of the Sydney local Directors of the Liverpool and London Fire and Life Insurance Company and of the Trustees thereof to be recorded in the Supreme Court of New South Wales pursuant to an Act of the Parliament of the said Colony passed in the twentieth year of the reign of Her present Majesty intituled "*An Act to vest the Trust Moneys Securities and Property of the Liverpool and London Fire and Life Insurance Company in this Colony in the local Trustees of the said Company for the time being.*"

} Directors.

} Trustees.

I, _____ of _____ do solemnly and sincerely declare that the above memorial contains the names of the present local Directors and of the present local Trustees of the above-named company at Sydney.

Made and declared at Sydney before me this day of in the
year of our Lord one thousand eight hundred and fifty-

[illegible]