

# New South Wales.



ANNO VICESIMO

## VICTORIÆ REGINÆ.

\*\*\*\*\*

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. [Assented to, 23rd February, 1857.]

WHEREAS in the year one thousand eight hundred and thirty-six a Preamble.  
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, Merchandize, 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,

*Liverpool and London Fire and Life Insurance Company's Act.—1857.*

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 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.

*Liverpool and London Fire and Life Insurance Company's Act.—1857.*

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.

Memorial recorded to be conclusive evidence.

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.

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

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-

