

FITZGERALD'S ENABLING BILL.

SCHEDULE of the Amendments referred to in Message of 20th January, 1876.

For JOHN J. CALVERT,
Clerk of the Parliaments,
ADOLPHUS P. CLAPIN,
Clerk Assistant.

- Page 1, Title, line 1. *Omit* " Robert Marsden Fitzgerald" *insert* "authorize"
" " line 2. *Omit* " and Testament"
" " line 2. *Omit* " deceased"
" " line 3. *Omit* " a certain capital sum of money unto" *insert* " and"
" " lines 3 and 4. *Omit* " a certain Society denominated"
" " lines 4 to 6. *Omit* " for the purpose of securing to the said Society the
" " annual payment of the sum of fifty pounds sterling and to enable the Trustees
" " of the said Society"
" Title, lines 7 and 8. *Omit* " from the said Robert Marsden Fitzgerald"
" " lines 8 and 9. *Omit* " by the said Robert Marsden Fitzgerald to them of
" " the sum of fifty pounds sterling"
Page 2, Preamble, line 1. *Omit* " the said "
" " line 43. *Omit* " and"
" " line 43. *After* " Society" *insert* " and they"
" " line 47. *Omit* " eleven hundred and eleven" *insert* " twelve hundred
" " and fifty"
" Preamble, line 51. *Omit* " a certain" *insert* " that"
" " line 52. *Omit* " of money"
Pages 2 and 3, clause 1, lines 59 and 1. *Omit* " eleven hundred and eleven" *insert*
" " twelve hundred and fifty"
Page 3, clause 2, line 7. *Omit* " eleven hundred and eleven" *insert* " twelve hundred
" " and fifty"
" clause 2, line 7. *Omit* " sterling"
" " 3, line 14. *Before* " capital" *insert* " said"
" " " line 14. *Omit* " of eleven hundred and eleven pounds sterling"
" " 4, line 27. *After* " the" *insert* " said"
" " " lines 27 and 28. *Omit* " of eleven hundred and eleven pounds sterling"
" " 5, line 34. *Omit* " of eleven hundred and eleven pounds"
" " 6, line 52. *Omit* " of eleven hundred and eleven pounds"
Page 4, " 7, line 1. *Omit* " of eleven hundred and eleven pounds"

CYBERNETICS BILL

SENATE REPORT NO. 100 ON THE BILL
INTRODUCED IN SENATE
MAY 1954

The bill is designed to provide for the establishment of a Commission on Cybernetics and related fields. The Commission is to be composed of representatives from the military, scientific, and educational communities. Its primary task is to study the current state of cybernetics research and to recommend ways to promote further development in this field. The bill also provides for the creation of a Cybernetics Research Fund, which will be used to support research projects in cybernetics and related disciplines. The Commission is authorized to hold public hearings and to submit reports to the Senate on its findings and recommendations.

This PRIVATE BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, }
Sydney, 22 December, 1875. }

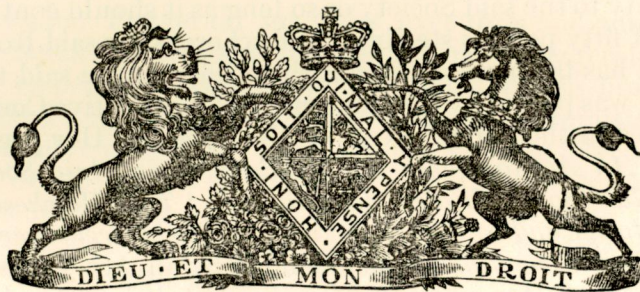
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber, }
Sydney, 20th January, 1876. }

For JOHN J. CALVERT,
Clerk of the Parliaments,
ADOLPHUS P. CLAPIN,
Clerk Assistant.

New South Wales.



ANNO TRICESIMO NONO

VICTORIÆ REGINÆ.

An Act to enable ~~Robert Marsden Fitzgerald~~ authorize the Executor of the last Will and Testament of Robert Fitzgerald deceased to pay a certain capital sum of money unto and the Trustees of a certain Society denominated the "Hawkesbury Benevolent Society" for the purpose of securing to the said Society the annual payment of the sum of fifty pounds sterling and to enable the Trustees of the said Society to receive a certain capital sum of money from the said Robert Marsden Fitzgerald in lieu of an annual payment by the said Robert Marsden Fitzgerald to them of the sum of fifty pounds sterling.

WHEREAS Richard Fitzgerald late of Windsor in the Colony of ^{Preamble.} New South Wales deceased by his last will and testament charged all his personal estate of whatever nature and kind soever with the payment of all his debts funeral and testamentary
5 expenses and legacies and by his said will gave and bequeathed the annual sum of fifty pounds sterling during the life of Robert Fitzgerald the executor and Trustee of his said will unto the Treasurer as Trustee for the time being of "The Hawkesbury Benevolent
10 Society" for the use and benefit of and to be applied towards the charitable purposes of the said Society and further by his said will requested the said Robert Fitzgerald to give a like annual sum and secure the payment of the same after his decease unto the Treasurer or Trustees of the said Society for the like use benefit and charitable
75— purposes

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Fitzgerald's Enabling.

purposes And whereas the said Robert Marsden Fitzgerald is the
 devisee legatee and executor of the last will and testament of the said
 Robert Fitzgerald deceased And whereas after the death of the said
 Robert Fitzgerald doubts arose as to the liability of the said Robert
 5 Marsden Fitzgerald as such executor to pay to the Trustees of the said
 Society the annual sum of fifty pounds sterling or to make provision
 for securing the annual payment thereof as aforesaid And whereas
 in order to remove such doubts a special case was stated for the
 opinion of the Supreme Court of New South Wales pursuant to the
 10 Statute passed in the Session of Parliament holden in the sixteenth
 year of the reign of Her present Majesty numbered three and
 intituled "*An Act to diminish the delay and expense of proceedings
 in the Supreme Court in its jurisdiction as a Court of Equity and in
 Infancy and Lunacy*" And upon the hearing of such special case the
 15 said Court decreed that the said Robert Marsden Fitzgerald as the
 devisee legatee and executor under and of the will of the said Robert
 Fitzgerald was bound to pay and make due provision for and secure the
 payment in perpetuity to the said Society or so long as it should continue
 of the annual sum of fifty pounds sterling And whereas the said Robert
 20 Marsden Fitzgerald has taken upon himself the burden of the said trust
 And whereas an Act was passed by the Governor and Legislative Council
 of New South Wales in the fourth year of the reign of Her present
 Majesty intituled "*An Act to enable the Members of a certain Society
 in the Colony of New South Wales denominated 'The Hawkesbury
 25 Benevolent Society' to sue and be sued in the name of their Treasurer and
 for other purposes therein mentioned*" as amended by an Act passed in
 the twenty-third year of Her present Majesty intituled "*An Act to
 amend the Hawkesbury Benevolent Society's Act of Incorporation*"
 And whereas by the said Acts no provision is made for enabling
 30 the Trustees or other officer or person for and on behalf of the said
 Society to compound for any debts due or accruing due to the
 said Society or to accept a capital sum of money in lieu of any
 annual payment due and accruing due to the said Society And
 whereas since the making of the said decree doubts have arisen as
 35 to the power of the said Robert Marsden Fitzgerald as such executor
 to pay to the Trustees of the said Society and of the said Trustees
 to receive from the said Robert Marsden Fitzgerald a capital sum
 to secure the payment of the annual sum of fifty pounds sterling
 in lieu of the payment annually of the sum of fifty pounds sterling
 40 by the said Robert Marsden Fitzgerald to the said Society in
 perpetuity or so long as the said Society shall continue And
 whereas the said Robert Marsden Fitzgerald as such executor is
 willing to pay to and the Trustees of the said Society and they are
 willing to receive from the said Robert Marsden Fitzgerald a capital
 45 sum of money to secure the payment to them of the said annual
 sum of fifty pounds sterling on behalf of the said Society as aforesaid
 And whereas the capital sum of ~~eleven hundred and eleven~~ **twelve hun-
 dred and fifty** pounds is sufficient to secure the payment of the said
 annual sum of fifty pounds sterling And whereas it is expedient to
 50 remove such doubts and to empower the said Robert Marsden
 Fitzgerald as such executor as aforesaid and the said Trustees
 respectively to pay and receive a certain ~~that~~ capital sum ~~of money~~
 for the purpose aforesaid Be it therefore enacted by the Queen's most
 excellent Majesty by and with the advice and consent of the Legislative
 55 Council and Legislative Assembly of New South Wales in Parliament
 assembled and by the authority of the same as follows:—

1. It shall be lawful for the said Robert Marsden Fitzgerald and he is hereby empowered to pay to the Trustees for the time-being of "The Hawkesbury Benevolent Society" the capital sum of ~~eleven hundred~~ **twelve hundred**

Power for Robert Marsden Fitzgerald to pay a certain sum to the Hawkesbury Benevolent Society.

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~~hundred and eleven~~ **twelve hundred and fifty** pounds to secure the payment in perpetuity to the said Society or so long as it shall continue of the said annual sum of fifty pounds sterling.

2. It shall be lawful for the Trustees of "The Hawkesbury Benevolent Society" and they are hereby empowered and required to take and receive from the said Robert Marsden Fitzgerald the capital sum of ~~eleven hundred and eleven~~ **twelve hundred and fifty** pounds sterling in lieu of the annual payment by him as such executor to them on behalf of the said Society of the said sum of fifty pounds sterling and to secure the payment in perpetuity to the said Society or so long as it shall continue of the said annual sum of fifty pounds sterling anything in the Act four Victoria number three to the contrary notwithstanding.

Power for the Trustees of the Hawkesbury Benevolent Society to receive a certain sum from Robert Marsden Fitzgerald.

3. The payment by the said Robert Marsden Fitzgerald of the said capital sum of ~~eleven hundred and eleven pounds sterling~~ to the Trustees of the said Society shall be an absolute discharge to him his heirs executors and administrators and of the lands estate and effects of him the said Robert Marsden Fitzgerald his heirs executors and administrators and of the lands and estate of the said Richard Fitzgerald and Robert Fitzgerald respectively and shall absolutely release him the said Robert Marsden Fitzgerald his heirs executors and administrators from all action or actions suit or suits claims or demands of any kind whatever for or on behalf of the said Society in respect of the said annual payment by him as such executor or otherwise to the Treasurer or Trustees for the time being of the said Society of the said annual sum of fifty pounds sterling.

Payment to the said Society to discharge Robert Marsden Fitzgerald.

4. The receipt of the Trustees for the time being of the "Hawkesbury Benevolent Society" of the said capital sum of ~~eleven hundred and eleven pounds sterling~~ from the said Robert Marsden Fitzgerald shall discharge them their heirs executors and administrators from all liability in respect of the payment by the said Robert Marsden Fitzgerald to the Treasurer or Trustees for the time being of the said annual sum of fifty pounds sterling.

Receipt of Trustees of Society to discharge them.

5. After the payment by the said Robert Marsden Fitzgerald of the said capital sum of ~~eleven hundred and eleven pounds~~ to the Trustees for the time being of the said Society no action or other proceeding whatever at law or in Equity shall be maintainable or commenced against him the said Robert Marsden Fitzgerald his executors or administrators by or on behalf of the said Society in respect of the non-payment by him or them to the said Trustees or Treasurer for the time being for and on behalf of the said Society of the said annual sum of fifty pounds sterling or in respect of the securing the payment in perpetuity by him his executors or administrators to the said Trustees or Treasurer of the said Society or so long as it may continue of the said annual sum of fifty pounds sterling and if any such action or other proceeding shall be commenced in violation of this enactment the same may summarily be stayed by order of the Supreme Court of New South Wales or any Judge thereof with costs to be paid by the plaintiff or any person or persons prosecuting or bringing such action or proceeding to the said Robert Marsden Fitzgerald his executors and administrators when taxed as between attorney and client.

No action shall be brought.

6. Provided always and it is hereby expressly declared that the said capital sum of ~~eleven hundred and eleven pounds~~ shall vest in the Trustees for the time being of the said Society only so long as the said Society shall continue to exist And when and so soon as the said Society shall cease to exist or be dissolved the said capital sum shall immediately revert in the said Robert Marsden Fitzgerald his executors or administrators and thereupon he or they shall be entitled to sue for and recover the same in any Court of competent jurisdiction from any person or persons or bodies corporate who may then hold or be possessed of or have the control of the said capital sum.

Said sum only to vest in Society so long as it continues to exist.

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7. The said capital sum of ~~eleven hundred and eleven pounds~~ Capital sum to be
 shall be forthwith invested by the said Trustees in Government Debentures in certain
 Debentures of New South Wales in the name of the Hawkesbury name.
 Fitzgerald Legacy Fund.

5 8. This Bill may be cited as the "Fitzgerald's Enabling Bill." Short title.