

A BILL

To authorise and empower the Members of Tattersall's Club in the City of Sydney from time to time to repeal alter or amend the Rules of their Club and to specify and define the purposes and objects of their Club in Special General Meeting and to expend the funds of their Club for the purposes and objects thereof and to invest their Club funds and buy lease or otherwise acquire premises for the purposes of the Club and to sell lease or mortgage the same and for vesting the property of the said Club in the Chairman thereof and his successors as a Corporation in trust for the members of the said Club and for providing for the bringing of all actions by and against the said Club in the name of the Chairman thereof for the time being and for registering in the Supreme Court a memorial of the name of each Chairman as elected.

WHEREAS a Racing and Sporting Club has been formed and has Preamble.
for some years existed in the City of Sydney under the name of
"Tattersall's Club" and has from time to time initiated and conducted
Race Meetings and has accumulated funds and it has been discovered
5 that the Rules of the said Club do not define the objects of the said Club
and contain no provisions enabling the Committee or the majority of the
Members of the said Club to deal with the funds of the said Club or to
invest the same or pay the same in promoting the objects of the said
Club or to borrow money and are in other ways defective And whereas
10 the said Rules cannot except by the authority of the Legislature be
altered or supplemented so as to bind all the Members of the said Club
without the express consent thereto of each and every Member of the
said Club And whereas the Members of the said Club are desirous that
the said defects should be cured and that power should be given to the
15 majority of the Members of the said Club to amend the said Rules 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 :—

20 1. This Act may be cited for all purposes as the "Tattersall's Short Title.
Club Act of 1888."

Interpretation
Clause.

Club.

2. In this Act (unless otherwise indicated by the context)

The word "Club" means the said Tattersall's Club.

Chairman.

The word "Chairman" means the Chairman for the time being of the Club.

Committee.

The word "Committee" means the Committee for the time being of the Club.

Member.
Members.

The words "Member" and "Members" mean respectively a Member and the Members for the time being of the Club.

Present Rules to be
in force until
adoption of new
Rules.

3. Until the passing and adopting of new rules in the manner hereinafter provided the present Rules of the Club shall so far as they are not inconsistent with this Act be in force and binding on all the Members. 10

Committee may call
meetings for
adoption of new
Rules or repeal or
amendment of
existing Rules.

4. The Committee may and upon the written requisition of not less than ten Members shall from time to time call Meetings of the Club for the adoption of new Rules or the repeal or amendment of the existing Rules such Meetings to be called in the same manner and subject to the same conditions as shall be provided in the Rules of the Club for the time being with respect to the calling of Special General Meetings of the Club At any such Meeting at which not less than thirty Members are present the proposed new Rules or repeals or amendments of existing Rules shall be submitted for the consideration of the Meeting and the same may be approved rejected or amended by the majority of such Meeting or any adjournment thereof and upon being confirmed as hereinafter in this Act provided shall so far as they are not inconsistent with this Act become the Rules of the Club and binding upon the Members. 15 20 25

Chairman to call
meeting for purpose
of confirming or
rejecting change in
Rules.

5. After any change in the Rules has been carried at any Meeting of the Club duly called for that purpose the Chairman shall call another Meeting of the Club in the same manner as is provided in the Rules of the Club for the time being for the calling of Special General Meetings Any such Meeting shall be held not more than five weeks and not less than three weeks after the Meeting at which the change in the Rules shall have been carried and shall be for the purpose of confirming or rejecting such change At any such Meeting the new Rules and the repeals and amendments of the existing Rules which may have been carried at the former Meeting shall be put separately to the Meeting and shall thereupon be each confirmed or rejected but no amendment shall be allowed and such of the new Rules repeals or amendments as are duly confirmed by a majority of the Meeting shall thereupon so far as they are not inconsistent with this Act be binding on all the Members Provided that any Member disapproving of any change in the Rules of the Club may within one calendar month of such confirmation resign his Membership and shall thereupon be relieved from all liabilities which may by such new Rules alterations or amendments be imposed upon the Members. 30 35 40 45

Power to borrow or
to sell or grant
leases.

6. It shall be lawful for the Committee in the name of the Chairman from time to time on behalf of and for the purposes of the said Club to borrow money by way of mortgage of the lands tenements and hereditaments real or personal of the Club or by issue of debentures secured upon the lands tenements and hereditaments real or personal of the Club or in any other way upon the security of the lands tenements or hereditaments real or personal of the Club or to sell or grant leases for any term of the lands tenements and hereditaments real or personal of the Club or any portion thereof and in any way to realise or dispose of the moneys goods and chattels choses in action or other personalty of the Club for and in furtherance of the objects of the Club Provided that no such borrowing mortgage issue of 50 55

debentures or sale or leasing of the said lands tenements and hereditaments shall be made without the consent of the majority of a Special General Meeting of the Club called to consider such proposed borrowing mortgage issue of debentures sale leasing realisation or disposition.

- 5 7. It shall be lawful for the Committee in the name of the Chairman from time to time on behalf of the Club to expend the funds of the Club now held by the Club or hereafter accruing or accumulating in the purchase or lease of buildings for the use of the Members as Club premises or in the purchase or lease of land and in the erection thereon
10 of buildings for the use of the members as Club premises and in the improvement of such land and the repair or alteration of such premises and also from time to time in the name of the Chairman to invest the funds of the Club now held by the Club or hereafter accruing or accumulating in Bank deposits or in Government debentures of any of
15 the Australian Colonies or in loan on the mortgage of real property in the City of Sydney Provided that no such purchase or lease shall be made and no such buildings shall be erected and no considerable expenditure at one time or in one contract shall be made in the improvement of such land or repair or alteration of such premises and no
20 considerable investment of the funds of the Club shall be made without the consent in each case of a majority of a Special General Meeting called to consider the proposed purchase lease erection of buildings improvement repair alteration or investment as the case may be.

Power to purchase or lease buildings or lands and erect Club premises thereon.

- 25 8. All lands tenements and hereditaments and all personal chattels and effects which are now held by the Club or by any person in trust for or for the benefit of the Club or the Members thereof shall immediately upon the passing of this Act become and be vested in and be held by the Chairman and his successors in such office in trust for the Club and in the like manner as if such Chairman and his respective
30 successors in such office were in law a Corporation sole and as if the personalty were real estate and all lands tenements and hereditaments real and personal and all personal chattels and effects which may hereafter be contracted for or be acquired by or belong to the Club or the Members thereof collectively may be conveyed assigned and assured to and shall
35 therefrom become vested in the Chairman and his successors in such office in trust for the Club and in the like manner as if such Chairman and his successors in such office were in law a Corporation sole and as if the personalty were real estate but nothing herein or in this Act contained shall be taken to incorporate the Club or its Members or (except as
40 hereinbefore in this Act provided as to Members resigning after any change in the Rules of the Club) to relieve or exonerate the Members or any of them from any responsibility duty contract or obligation which they would be subject or liable to either as between the Club and other persons or as between the individual Members of the Club if this Act
45 had not been passed.

Real and Personal property of the Club to be vested in the Chairman.

- 50 9. All actions suits proceedings or prosecutions in any Court civil or criminal and whether at law or in equity commenced instituted prosecuted or continued after this Act by or on behalf of the Club against any person whatsoever or by any person whatsoever against the Club whether such person be a Member of the Club or otherwise shall and may be lawfully commenced instituted prosecuted or continued in the name of the Chairman holding office at the time of the commencement of such action suit proceeding or prosecution as the nominal Plaintiff Defendant Petitioner Respondent or Prosecutor as the case
55 may be for and on behalf of the Club and the Members and in all indictments and informations it shall be lawful to state the property of the Club to be the property of the Chairman and any offence committed with intent to injure or defraud the Club may in any prosecution for the same be stated or said to have been committed with intent to defraud or
60 injure the Chairman and the death resignation or removal or other act

Actions to be in the name of the Chairman.

of the Chairman in whose name any such proceedings shall have been commenced shall not abate any such action suit proceeding or prosecution but the same may be continued and concluded in the same name.

Memorial of the Chairman's name to be recorded in the Supreme Court.

10. Within one calendar month after the passing of this Act 5 a memorial of the name of the Chairman substantially in the form set forth in the Schedule to this Act signed by the Chairman shall be recorded upon oath by the Secretary of the Club in the Supreme Court of New South Wales and whenever and as often as any new Chairman shall be elected a memorial of the name of such newly elected Chairman 10 in the same or a similar form and signed by such newly elected Chairman shall within one calendar month of the election of such new Chairman be recorded upon Oath by the Secretary of the Club in the Supreme Court of New South Wales and the production in any Court of Justice or before any person having by law or by consent of parties 15 authority to hear evidence of any such memorial or any office or examined copy thereof shall be prima facie evidence of the truth of the statements in such memorial or office or examined copy and the production in any such Court or before any person having authority as aforesaid of the then last registered memorial or of any office or 20 examined copy thereof shall be prima facie evidence that the Chairman therein named is the Chairman of the Club.

No action to be brought until Memorial is recorded.

11. Until such Memorial as hereinbefore first mentioned shall be recorded in the manner hereinbefore in this Act directed no action suit prosecution or other proceeding shall be brought by the Club or any of 25 the Members thereof on behalf of the Club in the name of the Chairman.

Effect of Judgment against the Chairman.

12. Every judgment and every decree or order which shall be at any time after the passing of this Act obtained against the Chairman on behalf of the Club shall and may take effect and be enforced and execution thereon be issued against the property and effects of the Club in the same 30 manner as if such judgment decree or order had been made against the said Club.

SCHEDULE.

TATTERSALL'S CLUB SYDNEY.

Memorial to record name of the Chairman of "Tattersall's Club" 35 in the Supreme Court of New South Wales pursuant to the Tattersall's Club Act of 188 . The name of the said Chairman is and he was duly elected to the office of Chairman on the day of A.D. 188 . 40 A. B. Chairman.

I of make oath and say that I am the Secretary of Tattersall's Club and that I saw the foregoing Memorial signed by the abovenamed Chairman and that he was duly 45 elected Chairman on the day above mentioned.

Sworn this day of A.D. 188 . Before me

Legislative Council

51^o VICTORIÆ, 1888.

A BILL

To authorize and empower the members of Tattersall's Club, in the City of Sydney, from time to time to repeal, alter, or amend the rules of their club, and to specify and define the purposes and objects of their club in special general meeting, and to expend the funds of their club for the purposes and objects thereof, and to invest their club funds, and buy, lease, or otherwise acquire premises for the purposes of the club, and to sell, lease, or mortgage the same, and for vesting the property of the said club in the chairman thereof and his successors as a corporation in trust for the members of the said club, and for providing for the bringing of all actions by and against the said club in the name of the chairman thereof for the time being, and for registering in the Supreme Court a memorial of the name of each chairman as elected.

(As agreed to in Select Committee.)

WHEREAS a racing and sporting club has been formed, and has for some years existed in the City of Sydney under the name of Tattersall's Club, and has from time to time initiated and conducted race meetings, and has accumulated funds, and it has been discovered
5 that the rules of the said club do not define the objects of the said club, and contain no provisions enabling the committee or the majority of the members of the said club to deal with the funds of the said club, or to invest the same or pay the same in promoting the objects of the said club or to borrow money, and are in other ways defective. And
10 whereas the said rules cannot, except by the authority of the Legislature, be altered or supplemented so as to bind all the members of the said club without the express consent thereto of each and every member
c 73— of

Preamble

of the said club. And whereas the members of the said club are desirous that the said defects should be cured, and that power should be given to the majority of the members of the said club to amend the said rules: 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:—

- Short title.** 1. This Act may be cited for all purposes as the "Tattersall's Club Act of 1888."
- Interpretation clause.** 2. In this Act (unless otherwise indicated by the context) 10
Club. The word "club" means the said Tattersall's Club.
Chairman. The word "chairman" means the chairman for the time being of the club.
Committee. The word "committee" means the committee for the time being of the club. 15
Member. The words "member" and "members" mean respectively a
Members. member and the members for the time being of the club.
Present rules to be in force until adoption of new rules. 3. Until the passing and adopting of new rules in the manner hereinafter provided the present rules of the club shall so far as they are not inconsistent with this Act be in force and binding on all the 20 members.
Committee may call meetings for adoption of new rules or repeal or amendment of existing rules. 4. The committee may, and upon the written requisition of not less than ten members, shall from time to time call meetings of the club for the adoption of new rules or the repeal or amendment of the existing rules, such meetings to be called in the same manner and 25 subject to the same conditions as shall be provided in the rules of the club for the time being with respect to the calling of special general meetings of the club. At any such meeting at which not less than thirty members are present the proposed new rules or repeals or amendments of existing rules shall be submitted for the consideration 30 of the meeting, and the same may be approved, rejected, or amended by the majority of such meeting or any adjournment thereof, and upon being confirmed as hereinafter in this Act provided shall so far as they are not inconsistent with this Act become the rules of the club and binding upon the members. 35
Chairman to call meeting for purpose of confirming or rejecting change in rules. 5. After any change in the rules has been carried at any meeting of the club duly called for that purpose, the chairman shall call another meeting of the club in the same manner as is provided in the rules of the club for the time being for the calling of special general meetings. Any such meeting shall be held not more than five weeks 40 and not less than three weeks after the meeting at which the change in the rules shall have been carried, and shall be for the purpose of confirming or rejecting such change. At any such meeting the new rules, and the repeals and amendments of the existing rules which may have been carried at the former meeting, shall be put separately 45 to the meeting, and shall thereupon be each confirmed or rejected, but no amendment shall be allowed, and such of the new rules, repeals, or amendments as are duly confirmed by a majority of the meeting shall thereupon, so far as they are not inconsistent with this Act, be binding on all the members. Provided that any member disapproving of any 50 change in the rules of the club may within one calendar month of such confirmation resign his membership, and shall thereupon be relieved from all liabilities which may by such new rules, alterations, or amendments be imposed upon the members.
Power to borrow or to sell or grant leases. 6. It shall be lawful for the committee, in the name of the 55 chairman from time to time on behalf of and for the purposes of the said club, to borrow money by way of mortgage of the lands, tenements, and hereditaments, real or personal, of the club, or by issue of debentures secured upon the lands, tenements, and hereditaments, real or personal, of

of the club, or in any other way upon the security of the lands, tenements, or hereditaments, real and personal, of the club, or to sell or grant leases for any term of the lands, tenements, and hereditaments, real or personal, of the club or any portion thereof, and in
 5 any way to realize or dispose of the moneys, goods, and chattels, choses in action or other personality of the club for and in furtherance of the objects of the club. Provided that no such borrowing, mortgage, issue of debentures, or sale or leasing of the said lands, tenements, and hereditaments, shall be made without the consent of the majority of
 10 a special general meeting of the club called to consider such proposed borrowing, mortgage, issue of debentures, sale, leasing, realization, or disposition.

7. It shall be lawful for the committee in the name of the chairman, from time to time on behalf of the club, to expend the
 15 funds of the club now held by the club, or hereafter accruing or accumulating, in the purchase or lease of buildings for the use of the members as club premises, or in the purchase or lease of land, and in the erection thereon of buildings for the use of the members as club premises, and in the improvement of such land and the repair or
 20 alteration of such premises: and also from time to time, in the name of the chairman, to invest the funds of the club now held by the club, or hereafter accruing or accumulating in bank deposits or in Government debentures of any of the Australian Colonies, or in loan on the mortgage of real property in the city of Sydney. Provided that no
 25 such purchase or lease shall be made, and no such buildings shall be erected, and no considerable expenditure at one time or in one contract shall be made in the improvement of such land, or repair or alteration of such premises, and no considerable investment of the funds of the club shall be made without the consent in each case of a majority of
 30 a special general meeting called to consider the proposed purchase, lease, erection of buildings, improvement, repair, alteration, or investment, as the case may be.

8. All lands, tenements, and hereditaments, and all personal chattels and effects which are now held by the club, or by any person
 35 in trust for or for the benefit of the club or the members thereof, shall immediately upon the passing of this Act become and be vested in and be held by the chairman and his successors in such office in trust for the club, and in the like manner as if such chairman and his respective successors in such office were in law a corporation sole, and as if the
 40 personalty were real estate, and all lands, tenements, and hereditaments real and personal, and all personal chattels and effects which may hereafter be contracted for or be acquired by or belong to the club or the members thereof collectively may be conveyed, assigned, and assured to, and shall therefrom become vested in the chairman and
 45 his successors in such office in trust for the club, and in the like manner as if such chairman and his successors in such office were in law a Corporation sole, and as if the personalty were real estate, but nothing herein or in this Act contained shall be taken to incorporate the club or its members, or (except as hereinbefore in this Act pro-
 50 vided as to members resigning after any change in the rules of the club) to relieve or exonerate the members or any of them from any responsibility, duty, contract, or obligation which they would be subject or liable to either as between the club and other persons or as between the individual members of the club if this Act had not
 55 been passed.

9. All actions, suits, proceedings or prosecutions in any Court, civil or criminal, and whether at law or in equity commenced, instituted, prosecuted, or continued after this Act by or on behalf of the club
 against any person whatsoever, or by any person whatsoever against the
 club

Power to purchase or lease buildings or lands and erect club premises thereon.

Real and personal property of the club to be vested in the chairman.

Actions to be in the name of the Chairman.

club, whether such person be a member of the club or otherwise, shall and may be lawfully commenced, instituted, prosecuted, or continued in the name of the chairman holding office at the time of the commencement of such action, suit, proceeding, or prosecution as the nominal plaintiff, defendant, petitioner, respondent, or prosecutor, as the case may be, for and on behalf of the club and the members, and in all indictments and informations it shall be lawful to state the property of the club to be the property of the chairman, and any offence committed with intent to injure or defraud the club may in any prosecution for the same be stated or said to have been committed with intent to defraud or injure the chairman, and the death, resignation, or removal, or other act of the chairman, in whose name any such proceedings shall have been commenced, shall not abate any such action, suit, proceeding, or prosecution, but the same may be continued and concluded in the same name. 5 10 15

Memorial of the chairman's name to be recorded in the Supreme Court.

10. Within one calendar month after the passing of this Act, a memorial in the name of the chairman substantially in the form set forth in the Schedule to this Act, signed by the chairman, shall be recorded upon oath by the secretary of the club in the Supreme Court of New South Wales, and whenever and as often as any new chairman shall be elected, a memorial of the name of such newly elected chairman in the same or a similar form, and signed by such newly elected chairman, shall, within one calendar month of the election of such new chairman, be recorded upon oath by the secretary of the club in the Supreme Court of New South Wales, and the production in any Court of Justice, or before any person having by law or by consent of parties authority to hear evidence of any such memorial or any office or examined copy thereof, shall be *prima facie* evidence of the truth of the statements in such memorial or office or examined copy, and the production in any such Court, or before any person having authority as aforesaid of the then last registered memorial, or of any office or examined copy thereof, shall be *prima facie* evidence that the chairman therein named is the chairman of the club. 20 25 30

No action to be brought until memorial is recorded.

11. Until such memorial as hereinbefore first-mentioned shall be recorded in the manner hereinbefore in this Act directed, no action, suit, prosecution, or other proceeding shall be brought by the club, or any of the members thereof on behalf of the club in the name of the chairman. 35

Effect of judgment against the chairman.

12. Every judgment and every decree or order which shall be at any time after the passing of this Act obtained against the chairman on behalf of the club shall and may take effect and be enforced and execution thereon be issued against the property and effects of the club, in the same manner as if such judgment, decree, or order had been made against the said club. 40

SCHEDULE.

45

TATTERSALL'S CLUB, SYDNEY.

Memorial to record name of the chairman of Tattersall's Club in the Supreme Court of New South Wales, pursuant to the "Tattersall's Club Act of 188 .". The name of the said Chairman is _____, and he was duly elected to the office of chairman on the _____ day of _____, A.D. 188 . 50

A.B., Chairman.

I _____, of _____, make oath and say that I am the secretary of Tattersall's Club, and that I saw the foregoing memorial signed by the abovenamed chairman, and that he was duly elected chairman on the day abovementioned. 55

Sworn this _____ day of _____, A.D. 188 .

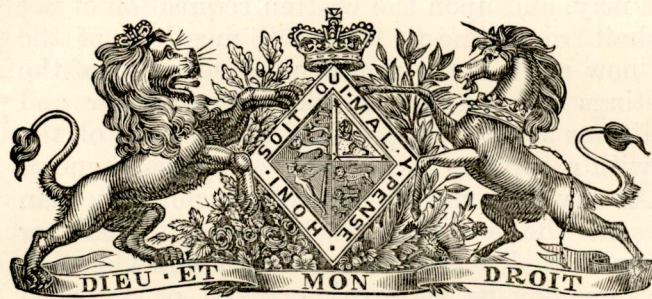
Before me

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

*Legislative Council Chamber,
Sydney, 21st March, 1888. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

An Act to enable the members of Tattersall's Club to sue and be sued in the name of its chairman; to alter its existing rules, and in other respects to carry out the objects of the Club.

WHEREAS a racing and sporting club has been formed, and has Preamble.
for some years existed in the City of Sydney under the name of Tattersall's Club, and has from time to time initiated and conducted race meetings, and has accumulated funds, and it has been discovered
5 that the rules of the said club do not define the objects of the said club, and contain no provisions enabling the committee or the majority of the members of the said club to deal with the funds of the said club, or to invest the same or pay the same in promoting the objects of the said club or to borrow money, and are in other ways defective. And
10 whereas the said rules cannot, except by the authority of the Legislature, be altered or supplemented so as to bind all the members of the said club without the express consent thereto of each and every member of the said club. And whereas the members of the said club are desirous that the said defects should be cured, and that power should
15 be given to the majority of the members of the said club to amend the said rules: Be it therefore enacted by the Queen's Most Excellent Majesty,

Tattersall's Club.

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:—

1. This Act may be cited for all purposes as the “Tattersall’s Club Act of 1888.” Short title.
2. In this Act (unless otherwise indicated by the context)
 The word “club” means the said Tattersall’s Club. Interpretation. Club.
 The word “chairman” means the chairman for the time being of the club. Chairman.
3. The word “committee” means the committee for the time being of the club. Committee.
 The words “member” and “members” mean respectively a member and members for the time being of the club. Member. Members.
4. Until the passing and adopting of new rules in the manner hereinafter provided the present rules of the club shall so far as they are not inconsistent with this Act be in force and binding on all the members. Present rules to be in force until adoption of new rules.
5. The committee may, and upon the written requisition of not less than ten members, shall from time to time call meetings of the club for the adoption of new rules or the repeal or amendment of the existing rules, such meetings to be called in the same manner and subject to the same conditions as shall be provided in the rules of the club for the time being with respect to the calling of special general meetings of the club. At any such meeting at which not less than thirty members are present the proposed new rules or repeals or amendments of existing rules shall be submitted for the consideration of the meeting, and the same may be approved, rejected, or amended by the majority of such meeting or any adjournment thereof, and upon being confirmed as hereinafter in this Act provided shall so far as they are not inconsistent with this Act become the rules of the club and binding upon the members. Committee may call meetings for adoption of new rules or repeal or amendment of existing rules.
6. After any change in the rules has been carried at any meeting of the club duly called for that purpose, the chairman shall call another meeting of the club in the same manner as is provided in the rules of the club for the time being for the calling of special general meetings. Any such meeting shall be held not more than five weeks and not less than three weeks after the meeting at which the change in the rules shall have been carried, and shall be for the purpose of confirming or rejecting such change. At any such meeting the new rules, and the repeals and amendments of the existing rules which may have been carried at the former meeting, shall be put separately to the meeting, and shall thereupon be each confirmed or rejected, but no amendment shall be allowed, and such of the new rules, repeals, or amendments as are duly confirmed by a majority of the meeting shall thereupon, so far as they are not inconsistent with this Act, be binding on all the members. Provided that any member disapproving of any change in the rules of the club may within one calendar month of such confirmation resign his membership, and shall thereupon be relieved from all liabilities which may by such new rules, alterations, or amendments be imposed upon the members. Chairman to call meeting for purpose of confirming or rejecting change in rules.
7. It shall be lawful for the committee, in the name of the chairman from time to time on behalf of and for the purposes of the said club, to borrow money by way of mortgage of the lands, tenements, and hereditaments, real or personal, of the club, or by issue of debentures secured upon the lands, tenements, and hereditaments, real or personal, of the club, or in any other way upon the security of the lands, tenements, or hereditaments, real and personal, of the club, or to sell or grant leases for any term of the lands, tenements, and hereditaments, real or personal, of the club or any portion thereof, and in any

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any way to realize or dispose of the moneys, goods, and chattels, choses in action or other personalty of the club for and in furtherance of the objects of the club. Provided that no such borrowing, mortgage, issue of debentures, or sale or leasing of the said lands, tenements, and hereditaments, shall be made without the consent of the majority of a special general meeting of the club called to consider such proposed borrowing, mortgage, issue of debentures, sale, leasing, realization, or disposition.

7. It shall be lawful for the committee in the name of the chairman, from time to time on behalf of the club, to expend the funds of the club now held by the club, or hereafter accruing or accumulating, in the purchase or lease of buildings for the use of the members as club premises, or in the purchase or lease of land, and in the erection thereon of buildings for the use of the members as club premises, and in the improvement of such land and the repair or alteration of such premises: and also from time to time, in the name of the chairman, to invest the funds of the club now held by the club, or hereafter accruing or accumulating in bank deposits or in Government debentures of any of the Australian Colonies, or in loan on the mortgage of real property in the city of Sydney. Provided that no such purchase or lease shall be made, and no such buildings shall be erected, and no considerable expenditure at one time or in one contract shall be made in the improvement of such land, or repair or alteration of such premises, and no considerable investment of the funds of the club shall be made without the consent in each case of a majority of a special general meeting called to consider the proposed purchase, lease, erection of buildings, improvement, repair, alteration, or investment, as the case may be.

Power to purchase or lease buildings or lands and erect club premises thereon.

8. All lands, tenements, and hereditaments, and all personal chattels and effects which are now held by the club, or by any person in trust for or for the benefit of the club or the members thereof, shall immediately upon the passing of this Act become and be vested in and be held by the chairman and his successors in such office in trust for the club, and in the like manner as if such chairman and his respective successors in such office were in law a corporation sole, and as if the personalty were real estate, and all lands, tenements, and hereditaments real and personal, and all personal chattels and effects which may hereafter be contracted for or be acquired by or belong to the club or the members thereof collectively may be conveyed, assigned, and assured to, and shall therefrom become vested in the chairman and his successors in such office in trust for the club, and in the like manner as if such chairman and his successors in such office were in law a Corporation sole, and as if the personalty were real estate, but nothing herein or in this Act contained shall be taken to incorporate the club or its members, or (except as hereinbefore in this Act provided as to members resigning after any change in the rules of the club) to relieve or exonerate the members or any of them from any responsibility, duty, contract, or obligation which they would be subject or liable to either as between the club and other persons or as between the individual members of the club if this Act had not been passed.

Real and personal property of the club to be vested in the chairman.

9. All actions, suits, proceedings or prosecutions in any Court, civil or criminal, and whether at law or in equity commenced, instituted, prosecuted, or continued from and after the passing of this Act by or on behalf of the club against any person whatsoever, or by any person whatsoever against the club, whether such person be a member of the club or otherwise, shall and may be lawfully commenced, instituted, prosecuted, or continued or defended in the name of the chairman holding office at the time of the commencement of such action, suit, proceeding,

Actions to be in the name of the Chairman.

Tattersall's Club.

proceeding, or prosecution as the nominal plaintiff, defendant, petitioner, respondent, or prosecutor, as the case may be, for and on behalf of the club and the members, and in all indictments and informations it shall be lawful to state the property of the club to be the property of
 5 the chairman, and any offence committed with intent to injure or defraud the club may in any prosecution for the same be stated or said to have been committed with intent to defraud or injure the chairman, and the death, resignation, or removal, or other act of the chairman, in whose name any such proceedings shall have been commenced, shall
 10 not abate any such action, suit, proceeding, or prosecution, but the same may be continued and concluded in the same name.

10. Within one calendar month after the passing of this Act, a memorial in the name of the chairman substantially in the form set forth in the Schedule to this Act, signed by the chairman, shall be
 15 recorded upon oath, which oath any Justice of the Peace or Commissioner for Affidavits is hereby empowered to take, by the secretary of the club in the Supreme Court of New South Wales, and whenever and as often as any new chairman shall be elected, a memorial of the name of such newly elected chairman in the same or a similar form,
 20 and signed by such newly elected chairman, shall, within one calendar month of the election of such new chairman, be recorded upon oath taken as aforesaid by the secretary of the club in the Supreme Court of New South Wales, and the production in any Court of Justice, or before any person having by law or by consent of parties authority to
 25 hear evidence of any such memorial or any office or examined copy thereof, shall be *prima facie* evidence of the truth of the statements in such memorial or office or examined copy, and the production in any such Court, or before any person having authority as aforesaid of the then last registered memorial, or of any office or examined copy
 30 thereof, shall be *prima facie* evidence that the chairman therein named is the chairman of the club.

Memorial of the chairman's name to be recorded in the Supreme Court.

11. Until such memorial as hereinbefore first-mentioned shall be recorded in the manner hereinbefore in this Act directed, no action, suit, prosecution, or other proceeding shall be brought by the club,
 35 or any of the members thereof on behalf of the club in the name of the chairman.

No action to be brought until memorial is recorded.

12. Every judgment and every decree or order which shall be at any time after the passing of this Act obtained against the chairman on behalf of the club shall and may take effect and be enforced
 40 and execution thereon be issued against the property and effects of the club, in the same manner as if such judgment, decree, or order had been made against the said club.

Effect of judgment against the chairman.

SCHEDULE.

TATTERSALL'S CLUB, SYDNEY.

45 Memorial to record name of the chairman of Tattersall's Club in the Supreme Court of New South Wales, pursuant to the "Tattersall's Club Act of 1888." The name of the said Chairman is _____, and he was duly elected to the office of chairman on the _____ day of _____, A.D. 188 .

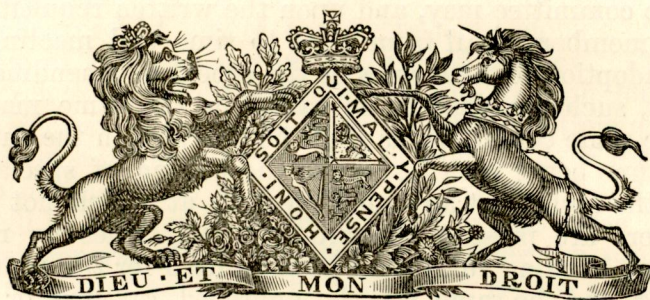
A.B., Chairman.

50 I _____, of _____, make oath and say that I am the secretary of Tattersall's Club, and that I saw the foregoing memorial signed by the abovenamed chairman, and that he was duly elected chairman on the day abovementioned.

Sworn this _____ day of _____, A.D. 188 .

Before me

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

An Act to enable the members of Tattersall's Club to sue and be sued in the name of its chairman; to alter its existing rules, and in other respects to carry out the objects of the Club. [Assented to, 4th May, 1888.]

WHEREAS a racing and sporting club has been formed, and has Preamble. for some years existed in the City of Sydney under the name of Tattersall's Club, and has from time to time initiated and conducted race meetings, and has accumulated funds, and it has been discovered that the rules of the said club do not define the objects of the said club, and contain no provisions enabling the committee or the majority of the members of the said club to deal with the funds of the said club, or to invest the same or pay the same in promoting the objects of the said club or to borrow money, and are in other ways defective. And whereas the said rules cannot, except by the authority of the Legislature, be altered or supplemented so as to bind all the members of the said club without the express consent thereto of each and every member of the said club. And whereas the members of the said club are desirous that the said defects should be cured, and that power should be given to the majority of the members of the said club to amend the said rules: Be it therefore enacted by the Queen's Most Excellent Majesty,

Tattersall's Club.

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:—

- Short title. 1. This Act may be cited for all purposes as the "Tattersall's Club Act of 1888."
- Interpretation, Club. 2. In this Act (unless otherwise indicated by the context) The word "club" means the said Tattersall's Club.
- Chairman. The word "chairman" means the chairman for the time being of the club.
- Committee. The word "committee" means the committee for the time being of the club.
- Member. Members. The words "member" and "members" mean respectively a member and members for the time being of the club.
- Present rules to be in force until adoption of new rules. 3. Until the passing and adopting of new rules in the manner hereinafter provided the present rules of the club shall so far as they are not inconsistent with this Act be in force and binding on all the members.
- Committee may call meetings for adoption of new rules or repeal or amendment of existing rules. 4. The committee may, and upon the written requisition of not less than ten members, shall from time to time call meetings of the club for the adoption of new rules or the repeal or amendment of the existing rules, such meetings to be called in the same manner and subject to the same conditions as shall be provided in the rules of the club for the time being with respect to the calling of special general meetings of the club. At any such meeting at which not less than thirty members are present the proposed new rules or repeals or amendments of existing rules shall be submitted for the consideration of the meeting, and the same may be approved, rejected, or amended by the majority of such meeting or any adjournment thereof, and upon being confirmed as hereinafter in this Act provided shall so far as they are not inconsistent with this Act become the rules of the club and binding upon the members.
- Chairman to call meeting for purpose of confirming or rejecting change in rules. 5. After any change in the rules has been carried at any meeting of the club duly called for that purpose, the chairman shall call another meeting of the club in the same manner as is provided in the rules of the club for the time being for the calling of special general meetings. Any such meeting shall be held not more than five weeks and not less than three weeks after the meeting at which the change in the rules shall have been carried, and shall be for the purpose of confirming or rejecting such change. At any such meeting the new rules, and the repeals and amendments of the existing rules which may have been carried at the former meeting, shall be put separately to the meeting, and shall thereupon be each confirmed or rejected, but no amendment shall be allowed, and such of the new rules, repeals, or amendments as are duly confirmed by a majority of the meeting shall thereupon, so far as they are not inconsistent with this Act, be binding on all the members. Provided that any member disapproving of any change in the rules of the club may within one calendar month of such confirmation resign his membership, and shall thereupon be relieved from all liabilities which may by such new rules, alterations, or amendments be imposed upon the members.
- Power to borrow or to sell or grant leases. 6. It shall be lawful for the committee, in the name of the chairman from time to time on behalf of and for the purposes of the said club, to borrow money by way of mortgage of the lands, tenements, and hereditaments, real or personal, of the club, or by issue of debentures secured upon the lands, tenements, and hereditaments, real or personal, of the club, or in any other way upon the security of the lands, tenements, or hereditaments, real and personal, of the club, or to sell or grant leases for any term of the lands, tenements, and hereditaments, real or personal, of the club or any portion thereof, and in any

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any way to realize or dispose of the moneys, goods, and chattels, choses in action or other personalty of the club for and in furtherance of the objects of the club. Provided that no such borrowing, mortgage, issue of debentures, or sale or leasing of the said lands, tenements, and hereditaments, shall be made without the consent of the majority of a special general meeting of the club called to consider such proposed borrowing, mortgage, issue of debentures, sale, leasing, realization, or disposition.

7. It shall be lawful for the committee in the name of the chairman, from time to time on behalf of the club, to expend the funds of the club now held by the club, or hereafter accruing or accumulating, in the purchase or lease of buildings for the use of the members as club premises, or in the purchase or lease of land, and in the erection thereon of buildings for the use of the members as club premises, and in the improvement of such land and the repair or alteration of such premises: and also from time to time, in the name of the chairman, to invest the funds of the club now held by the club, or hereafter accruing or accumulating in bank deposits or in Government debentures of any of the Australian Colonies, or in loan on the mortgage of real property in the city of Sydney. Provided that no such purchase or lease shall be made, and no such buildings shall be erected, and no considerable expenditure at one time or in one contract shall be made in the improvement of such land, or repair or alteration of such premises, and no considerable investment of the funds of the club shall be made without the consent in each case of a majority of a special general meeting called to consider the proposed purchase, lease, erection of buildings, improvement, repair, alteration, or investment, as the case may be.

Power to purchase or lease buildings or lands and erect club premises thereon.

8. All lands, tenements, and hereditaments, and all personal chattels and effects which are now held by the club, or by any person in trust for or for the benefit of the club or the members thereof, shall immediately upon the passing of this Act become and be vested in and be held by the chairman and his successors in such office in trust for the club, and in the like manner as if such chairman and his respective successors in such office were in law a corporation sole, and as if the personalty were real estate, and all lands, tenements, and hereditaments real and personal, and all personal chattels and effects which may hereafter be contracted for or be acquired by or belong to the club or the members thereof collectively may be conveyed, assigned, and assured to, and shall therefrom become vested in the chairman and his successors in such office in trust for the club, and in the like manner as if such chairman and his successors in such office were in law a Corporation sole, and as if the personalty were real estate, but nothing herein or in this Act contained shall be taken to incorporate the club or its members, or (except as hereinbefore in this Act provided as to members resigning after any change in the rules of the club) to relieve or exonerate the members or any of them from any responsibility, duty, contract, or obligation which they would be subject or liable to either as between the club and other persons or as between the individual members of the club if this Act had not been passed.

Real and personal property of the club to be vested in the chairman.

9. All actions, suits, proceedings or prosecutions in any Court, civil or criminal, and whether at law or in equity commenced, instituted, prosecuted, or continued from and after the passing of this Act by or on behalf of the club against any person whatsoever, or by any person whatsoever against the club, whether such person be a member of the club or otherwise, shall and may be lawfully commenced, instituted, prosecuted, or continued or defended in the name of the chairman holding office at the time of the commencement of such action, suit, proceeding.

Actions to be in the name of the Chairman.

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proceeding, or prosecution as the nominal plaintiff, defendant, petitioner, respondent, or prosecutor, as the case may be, for and on behalf of the club and the members, and in all indictments and informations it shall be lawful to state the property of the club to be the property of the chairman, and any offence committed with intent to injure or defraud the club may in any prosecution for the same be stated or said to have been committed with intent to defraud or injure the chairman, and the death, resignation, or removal, or other act of the chairman, in whose name any such proceedings shall have been commenced, shall not abate any such action, suit, proceeding, or prosecution, but the same may be continued and concluded in the same name.

Memorial of the chairman's name to be recorded in the Supreme Court.

10. Within one calendar month after the passing of this Act, a memorial in the name of the chairman substantially in the form set forth in the Schedule to this Act, signed by the chairman, shall be recorded upon oath, which oath any Justice of the Peace or Commissioner for Affidavits is hereby empowered to take, by the secretary of the club in the Supreme Court of New South Wales, and whenever and as often as any new chairman shall be elected, a memorial of the name of such newly elected chairman in the same or a similar form, and signed by such newly elected chairman, shall, within one calendar month of the election of such new chairman, be recorded upon oath taken as aforesaid by the secretary of the club in the Supreme Court of New South Wales, and the production in any Court of Justice, or before any person having by law or by consent of parties authority to hear evidence of any such memorial or any office or examined copy thereof, shall be *primâ facie* evidence of the truth of the statements in such memorial or office or examined copy, and the production in any such Court, or before any person having authority as aforesaid of the then last registered memorial, or of any office or examined copy thereof, shall be *primâ facie* evidence that the chairman therein named is the chairman of the club.

No action to be brought until memorial is recorded.

11. Until such memorial as hereinbefore first-mentioned shall be recorded in the manner hereinbefore in this Act directed, no action, suit, prosecution, or other proceeding shall be brought by the club, or any of the members thereof on behalf of the club in the name of the chairman.

Effect of judgment against the chairman.

12. Every judgment and every decree or order which shall be at any time after the passing of this Act obtained against the chairman on behalf of the club shall and may take effect and be enforced and execution thereon be issued against the property and effects of the club, in the same manner as if such judgment, decree, or order had been made against the said club.

SCHEDULE.

TATTERSALL'S CLUB, SYDNEY.

Memorial to record name of the chairman of Tattersall's Club in the Supreme Court of New South Wales, pursuant to the "Tattersall's Club Act of 1888." The name of the said Chairman is _____, and he was duly elected to the office of chairman on the _____ day of _____, A.D. 188 .

A.B., Chairman.

I _____, of _____, make oath and say that I am the secretary of Tattersall's Club, and that I saw the foregoing memorial signed by the abovenamed chairman, and that he was duly elected chairman on the day abovementioned.

Sworn this _____ day of _____, A.D. 188 .
Before me