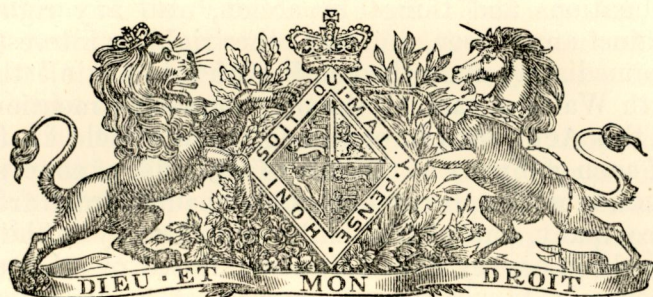


New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. XXV.

An Act to facilitate the carrying out the Reconstruction Schemes
of certain Companies. [Assented to, 5th June, 1894.]

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply: And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name: And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other reconstructed companies and corporations in the way and
to the extent hereinafter appearing: 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:—

1. This Act may be cited as the "Reconstructed Companies Short title.
Act, 1894."

Reconstructed Companies.

Interpretation.

2. In this Act where not inconsistent with the context—
 “New Company” means the company formed by reconstruction of a pre-existing company.

“Old Company” means the pre-existing company which has been reconstructed.

“Property” means real and personal property of every description, including uncalled capital, and all interest, claims, and rights in, to, and out of property real and personal, and including obligations and things in action, also any right or claim against any person, and any other right or interest.

Assets, &c., of old company vested in new.

3. Immediately upon the passing of this Act all the property in New South Wales of each of the old companies mentioned in the Schedule to this Act vested in or belonging to or held in trust for or on behalf of such company at the date of the order of court sanctioning its reconstruction not expressly excepted by such order from passing to the new company, and which shall not previously to the passing of this Act have been conveyed, transferred, released, or otherwise assured by the old company to which such property originally belonged shall, without any conveyance, assignment, transfer, assurance, application, or other instrument, and without payment of any fees or duties whatsoever, vest in, pass to, and become absolutely the property of the new company, whose name appears in the fourth column of the said Schedule, opposite the name of the old company, to which such property originally belonged, so that such new company shall thereupon become and be deemed to be the owner, registered owner, registered proprietor, or person entitled, claiming, interested, or affected in the place and stead of the old company, for all the estate, right, title, interest, claim, and demand which the old company had therein at the date of such order, subject, nevertheless, to the equities (if any) affecting such property, and to the terms of any contract, agreement, or other dealing duly executed, made, or entered into with respect to such property since the date of such order.

Name of old company to be read as name of new company in all mortgages, &c.

4. All mortgages, liens, securities, bonds, guarantees, agreements, contracts, deeds, documents, instruments, and writings whatsoever, relating to any real or personal property or affecting any rights or interests therein or giving any right or remedy to or against any person not expressly excepted from the operation of this Act, and in which the name of any of the old companies appears, and which were in existence at the date of such order as aforesaid, and have not, previously to the passing of this Act, been released, discharged, conveyed, assigned, transferred, or otherwise assured by the old company, to which the same originally belonged, shall, immediately upon the passing of this Act, be read and construed as if the name of the new company formed by reconstruction of the old company appeared therein as on and from the date of the incorporation of such new company instead of the name of the old company, and shall operate and take effect accordingly: Provided that any debtor of the old company shall be entitled to set off any debt against the new company, which, but for the passing of this Act, he would have been entitled to set off against the old company.

Actions, &c., by, or against old company to be prosecuted and dealt with in name of or against new company.

5. All actions, demands, caveats, notices, or other proceedings commenced, made, entered, or given by or on behalf of or against, or to any of the old companies previously to the passing of this Act may be prosecuted, acted upon, or otherwise dealt with, by and in the name of, or against the new company formed by reconstruction of the old company, as if such actions, demands, caveats, notices, and proceedings had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding

Reconstructed Companies.

proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act, being a Bank in accordance with the interpretation clause of the "Bankers' Books Evidence Act, 1891," shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

Application of
"Bankers' Books
Evidence Act, 1891."

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity, by proclamation under his hand, and published in the New South Wales *Government Gazette* declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified. The word "company" in this section shall include a company or society formed by the reconstruction of any society registered under the "Friendly Societies Act of 1873."

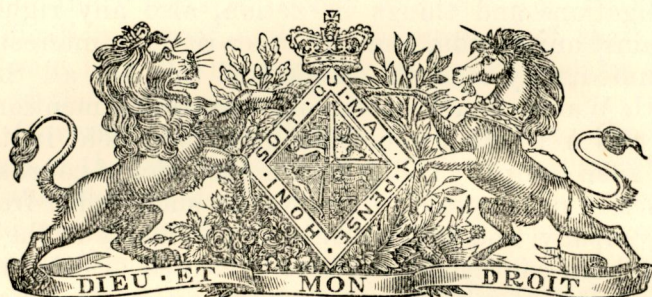
Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.

Reconstructed Companies.

Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
	The High Court of Justice in England, 23rd August, 1893.		
The London Chartered Bank of Australia.	The High Court of Justice in England, 3rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. XXV.

An Act to facilitate the carrying out the Reconstruction Schemes
of certain Companies. [Assented to, 5th June, 1894.]

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply: And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name: And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other reconstructed companies and corporations in the way and
to the extent hereinafter appearing: 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:—

1. This Act may be cited as the "Reconstructed Companies Short title.
Act. 1894."

Reconstructed Companies.

Interpretation.

2. In this Act where not inconsistent with the context—
 “New Company” means the company formed by reconstruction of a pre-existing company.

“Old Company” means the pre-existing company which has been reconstructed.

“Property” means real and personal property of every description, including uncalled capital, and all interest, claims, and rights in, to, and out of property real and personal, and including obligations and things in action, also any right or claim against any person, and any other right or interest.

Assets, &c., of old company vested in new.

3. Immediately upon the passing of this Act all the property in New South Wales of each of the old companies mentioned in the Schedule to this Act vested in or belonging to or held in trust for or on behalf of such company at the date of the order of court sanctioning its reconstruction not expressly excepted by such order from passing to the new company, and which shall not previously to the passing of this Act have been conveyed, transferred, released, or otherwise assured by the old company to which such property originally belonged shall, without any conveyance, assignment, transfer, assurance, application, or other instrument, and without payment of any fees or duties whatsoever, vest in, pass to, and become absolutely the property of the new company, whose name appears in the fourth column of the said Schedule, opposite the name of the old company, to which such property originally belonged, so that such new company shall thereupon become and be deemed to be the owner, registered owner, registered proprietor, or person entitled, claiming, interested, or affected in the place and stead of the old company, for all the estate, right, title, interest, claim, and demand which the old company had therein at the date of such order, subject, nevertheless, to the equities (if any) affecting such property, and to the terms of any contract, agreement, or other dealing duly executed, made, or entered into with respect to such property since the date of such order.

Name of old company to be read as name of new company in all mortgages, &c.

4. All mortgages, liens, securities, bonds, guarantees, agreements, contracts, deeds, documents, instruments, and writings whatsoever, relating to any real or personal property or affecting any rights or interests therein or giving any right or remedy to or against any person not expressly excepted from the operation of this Act, and in which the name of any of the old companies appears, and which were in existence at the date of such order as aforesaid, and have not, previously to the passing of this Act, been released, discharged, conveyed, assigned, transferred, or otherwise assured by the old company, to which the same originally belonged, shall, immediately upon the passing of this Act, be read and construed as if the name of the new company formed by reconstruction of the old company appeared therein as on and from the date of the incorporation of such new company instead of the name of the old company, and shall operate and take effect accordingly: Provided that any debtor of the old company shall be entitled to set off any debt against the new company, which, but for the passing of this Act, he would have been entitled to set off against the old company.

Actions, &c., by, or against old company to be prosecuted and dealt with in name of or against new company.

5. All actions, demands, caveats, notices, or other proceedings commenced, made, entered, or given by or on behalf of or against, or to any of the old companies previously to the passing of this Act may be prosecuted, acted upon, or otherwise dealt with, by and in the name of, or against the new company formed by reconstruction of the old company, as if such actions, demands, caveats, notices, and proceedings had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding

Reconstructed Companies.

proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act, being a Bank in accordance with the interpretation clause of the "Bankers' Books Evidence Act, 1891," shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

Application of
"Bankers' Books
Evidence Act, 1891."

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity, by proclamation under his hand, and published in the *New South Wales Government Gazette* declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified. The word "company" in this section shall include a company or society formed by the reconstruction of any society registered under the "Friendly Societies Act of 1873."

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.
Reconstructed Companies.

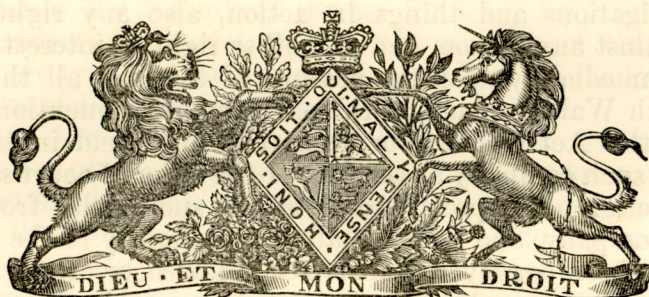
Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
	The High Court of Justice in England, 23rd August, 1893.		
The London Chartered Bank of Australia.	The High Court of Justice in England, 3rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 30th May, 1894. }*

*JOHN J. CALVERT,
Clerk of the Parliaments.*

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. XXV.

An Act to facilitate the carrying out the Reconstruction Schemes of certain Companies. [Assented to, 5th June, 1894.]

WHEREAS each of the several companies named in the first column of the Schedule to this Act has been reconstructed, and such reconstruction has in the case of those companies which were incorporated by or under the provisions of an Act either of the Colony of New South Wales or Victoria been sanctioned by an order of the Supreme Court of such Colony, and in the case of those companies which were incorporated by or under the provisions of an Act of the United Kingdom or Royal Charter by an order of a Court of competent jurisdiction in the United Kingdom, short particulars of which several orders are set forth in the second column of the Schedule to this Act opposite the names of the companies to which they apply: And whereas each of the companies so reconstructed is now incorporated under the Act specified in the third column of the Schedule to this Act, opposite the name of the company, and is carrying on business in the Colony of New South Wales under the name in the fourth column of the said Schedule printed opposite its old name: And whereas it is expedient to facilitate the carrying out of the reconstruction of such companies and of other reconstructed companies and corporations in the way and to the extent hereinafter appearing: 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:—

1. This Act may be cited as the "Reconstructed Companies Act, 1894."

Reconstructed Companies.

Interpretation.

2. In this Act where not inconsistent with the context—
 “New Company” means the company formed by reconstruction of a pre-existing company.
 “Old Company” means the pre-existing company which has been reconstructed.
 “Property” means real and personal property of every description, including uncalled capital, and all interest, claims, and rights in, to, and out of property real and personal, and including obligations and things in action, also any right or claim against any person, and any other right or interest.

Assets, &c., of old company vested in new.

3. Immediately upon the passing of this Act all the property in New South Wales of each of the old companies mentioned in the Schedule to this Act vested in or belonging to or held in trust for or on behalf of such company at the date of the order of court sanctioning its reconstruction not expressly excepted by such order from passing to the new company, and which shall not previously to the passing of this Act have been conveyed, transferred, released, or otherwise assured by the old company to which such property originally belonged shall, without any conveyance, assignment, transfer, assurance, application, or other instrument, and without payment of any fees or duties whatsoever, vest in, pass to, and become absolutely the property of the new company, whose name appears in the fourth column of the said Schedule, opposite the name of the old company, to which such property originally belonged, so that such new company shall thereupon become and be deemed to be the owner, registered owner, registered proprietor, or person entitled, claiming, interested, or affected in the place and stead of the old company, for all the estate, right, title, interest, claim, and demand which the old company had therein at the date of such order, subject, nevertheless, to the equities (if any) affecting such property, and to the terms of any contract, agreement, or other dealing duly executed, made, or entered into with respect to such property since the date of such order.

Name of old company to be read as name of new company in all mortgages, &c.

4. All mortgages, liens, securities, bonds, guarantees, agreements, contracts, deeds, documents, instruments, and writings whatsoever, relating to any real or personal property or affecting any rights or interests therein or giving any right or remedy to or against any person not expressly excepted from the operation of this Act, and in which the name of any of the old companies appears, and which were in existence at the date of such order as aforesaid, and have not, previously to the passing of this Act, been released, discharged, conveyed, assigned, transferred, or otherwise assured by the old company, to which the same originally belonged, shall, immediately upon the passing of this Act, be read and construed as if the name of the new company formed by reconstruction of the old company appeared therein as on and from the date of the incorporation of such new company instead of the name of the old company, and shall operate and take effect accordingly: Provided that any debtor of the old company shall be entitled to set off any debt against the new company, which, but for the passing of this Act, he would have been entitled to set off against the old company.

Actions, &c., by, or against old company to be prosecuted and dealt with in name of or against new company.

5. All actions, demands, caveats, notices, or other proceedings commenced, made, entered, or given by or on behalf of or against, or to any of the old companies previously to the passing of this Act may be prosecuted, acted upon, or otherwise dealt with, by and in the name of, or against the new company formed by reconstruction of the old company, as if such actions, demands, caveats, notices, and proceedings had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding

Reconstructed Companies.

proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act, being a Bank in accordance with the interpretation clause of the "Bankers' Books Evidence Act, 1891," shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

Application of
"Bankers' Books
Evidence Act, 1891."

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity, by proclamation under his hand, and published in the New South Wales *Government Gazette* declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified. The word "company" in this section shall include a company or society formed by the reconstruction of any society registered under the "Friendly Societies Act of 1873."

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.
Reconstructed Companies.

Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
	The High Court of Justice in England, 23rd August, 1893.		
The London Chartered Bank of Australia.	The High Court of Justice in England, 3rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

In the name and on the behalf of Her Majesty I assent to this Act.

Government House,
Sydney, 5 June, 1894.

R. W. DUFF,
Governor.

Recommending Companies.

proceeding to which any such old company was entitled or subject at the passing of this Act, shall ensure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act, being a Bank in accordance with the provisions of the "Bankers' Books Evidence Act, 1891," shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

7. The Governor-in-Council may from time to time on the recommendation of the Judge sitting in equity, by proclamation under his hand and published in the New South Wales Government Gazette, declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified. The word "company," in this section shall include a company or society formed by the reconstruction of any society registered under the "Friendly Societies Act of 1878."

SCHEDULE

Old Company Name	Recommending Order, Court, Date of Order	Recommending Act	New Company Name
The Commercial Bank of Australia (Limited)	Supreme Court of the Colony of Victoria, 20th April 1893	The Act of the Legislature of Victoria, 1890, cited and known as the Companies Act, 1890	The Commercial Bank of Australia (Limited)
The National Bank of Australasia	Supreme Court of the Colony of Victoria, 2nd June 1893	The Act of the Legislature of Victoria, 1890, cited and known as the Companies Act, 1890	The National Bank of Australasia (Limited)
Goldsbrough, Mort and Company (Limited)	Supreme Court of the Colony of Victoria, 22nd August 1893	The Act of the Legislature of Victoria, 1890, cited and known as the Companies Act, 1890	Goldsbrough, Mort and Company (Limited)
The High Court of Justice in England	23rd August 1893	The Act of the Legislature of Victoria, 1890, cited and known as the Companies Act, 1890	The High Court of Justice in England
The London Chartered Bank of Australia	Supreme Court of the Colony of Victoria, 3rd August 1893	The Act of the Legislature of Victoria, 1890, cited and known as the Companies Act, 1890	The London Chartered Bank of Australia (Limited)
The English Scottish and Australian Chartered Bank	Supreme Court of the Colony of Victoria, 1st July 1893	The Act of the Legislature of Victoria, 1890, cited and known as the Companies Act, 1890	The English Scottish and Australian Chartered Bank (Limited)
The Commercial Banking Company of Sydney	Supreme Court of the Colony of Victoria, 18th June 1893	The Act of the Legislature of Victoria, 1890, cited and known as the Companies Act, 1890	The Commercial Banking Company of Sydney (Limited)
The Australian Joint Stock Bank	Supreme Court of the Colony of Victoria, 15th June 1893	The Act of the Legislature of Victoria, 1890, cited and known as the Companies Act, 1890	The Australian Joint Stock Bank (Limited)

In the name and on the behalf of Her Majesty I assent to this Act.

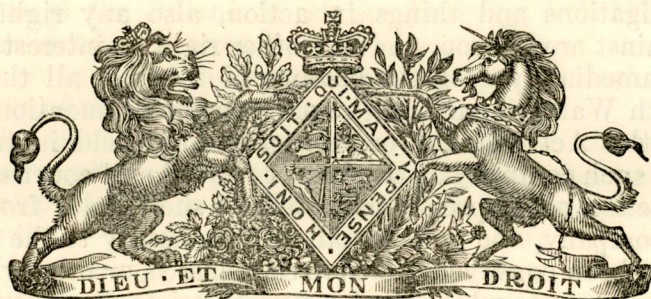
R. W. DUFF,
Governor.
Sydney, 5 June, 1894.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 30th May, 1894. }*

*JOHN J. CALVERT,
Clerk of the Parliaments.*

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. XXV.

An Act to facilitate the carrying out the Reconstruction Schemes of certain Companies. [Assented to, 5th June, 1894.]

WHEREAS each of the several companies named in the first column of the Schedule to this Act has been reconstructed, and such reconstruction has in the case of those companies which were incorporated by or under the provisions of an Act either of the Colony of New South Wales or Victoria been sanctioned by an order of the Supreme Court of such Colony, and in the case of those companies which were incorporated by or under the provisions of an Act of the United Kingdom or Royal Charter by an order of a Court of competent jurisdiction in the United Kingdom, short particulars of which several orders are set forth in the second column of the Schedule to this Act opposite the names of the companies to which they apply: And whereas each of the companies so reconstructed is now incorporated under the Act specified in the third column of the Schedule to this Act, opposite the name of the company, and is carrying on business in the Colony of New South Wales under the name in the fourth column of the said Schedule printed opposite its old name: And whereas it is expedient to facilitate the carrying out of the reconstruction of such companies and of other reconstructed companies and corporations in the way and to the extent hereinafter appearing: 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:—

1. This Act may be cited as the "Reconstructed Companies Act, 1894."

Reconstructed Companies.

Interpretation.

2. In this Act where not inconsistent with the context—
 “New Company” means the company formed by reconstruction of a pre-existing company.
 “Old Company” means the pre-existing company which has been reconstructed.
 “Property” means real and personal property of every description, including uncalled capital, and all interest, claims, and rights in, to, and out of property real and personal, and including obligations and things in action, also any right or claim against any person, and any other right or interest.

Assets, &c., of old company vested in new.

3. Immediately upon the passing of this Act all the property in New South Wales of each of the old companies mentioned in the Schedule to this Act vested in or belonging to or held in trust for or on behalf of such company at the date of the order of court sanctioning its reconstruction not expressly excepted by such order from passing to the new company, and which shall not previously to the passing of this Act have been conveyed, transferred, released, or otherwise assured by the old company to which such property originally belonged shall, without any conveyance, assignment, transfer, assurance, application, or other instrument, and without payment of any fees or duties whatsoever, vest in, pass to, and become absolutely the property of the new company, whose name appears in the fourth column of the said Schedule, opposite the name of the old company, to which such property originally belonged, so that such new company shall thereupon become and be deemed to be the owner, registered owner, registered proprietor, or person entitled, claiming, interested, or affected in the place and stead of the old company, for all the estate, right, title, interest, claim, and demand which the old company had therein at the date of such order, subject, nevertheless, to the equities (if any) affecting such property, and to the terms of any contract, agreement, or other dealing duly executed, made, or entered into with respect to such property since the date of such order.

Name of old company to be read as name of new company in all mortgages, &c.

4. All mortgages, liens, securities, bonds, guarantees, agreements, contracts, deeds, documents, instruments, and writings whatsoever, relating to any real or personal property or affecting any rights or interests therein or giving any right or remedy to or against any person not expressly excepted from the operation of this Act, and in which the name of any of the old companies appears, and which were in existence at the date of such order as aforesaid, and have not, previously to the passing of this Act, been released, discharged, conveyed, assigned, transferred, or otherwise assured by the old company, to which the same originally belonged, shall, immediately upon the passing of this Act, be read and construed as if the name of the new company formed by reconstruction of the old company appeared therein as on and from the date of the incorporation of such new company instead of the name of the old company, and shall operate and take effect accordingly: Provided that any debtor of the old company shall be entitled to set off any debt against the new company, which, but for the passing of this Act, he would have been entitled to set off against the old company.

Actions, &c., by, or against old company to be prosecuted and dealt with in name of or against new company.

5. All actions, demands, caveats, notices, or other proceedings commenced, made, entered, or given by or on behalf of or against, or to any of the old companies previously to the passing of this Act may be prosecuted, acted upon, or otherwise dealt with, by and in the name of, or against the new company formed by reconstruction of the old company, as if such actions, demands, caveats, notices, and proceedings had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding

Reconstructed Companies.

proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act, being a Bank in accordance with the interpretation clause of the "Bankers' Books Evidence Act, 1891," shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

Application of
"Bankers' Books
Evidence Act, 1891."

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity, by proclamation under his hand, and published in the New South Wales *Government Gazette* declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified. The word "company" in this section shall include a company or society formed by the reconstruction of any society registered under the "Friendly Societies Act of 1873."

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.
Reconstructed Companies.

Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
The London Chartered Bank of Australia.	The High Court of Justice in England, 23rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.		
The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

In the name and on the behalf of Her Majesty I assent to this Act.

Government House,
Sydney, 5 June, 1894.

R. W. DUFF,
Governor.

RECONSTRUCTED COMPANIES BILL.

SCHEDULE of Amendments referred to in Message of 23 May, 1894.

F. W. WEBB,
Clerk of the Legislative Assembly.

- Page 2, clause 4. *Add at end of clause* "Provided that any debtor of the old company shall be entitled to set off any debt against the new company which, but for the passing of this Act, he would have been entitled to set off against the old company"
- Page 3, clause 6, line 10. *After "Act" insert* "being a Bank in accordance with the interpretation clause of the Bankers' Books Evidence Act, 1891"
- Page 3, clause 7, lines 18 and 19. *Omit* "who authorised the reconstruction of the company concerned"
- Page 3, clause 7. *Add at end of clause* "The word 'company' in this section shall include a company or society formed by the reconstruction of any society registered under the Friendly Societies Act of 1873"

This PUBLIC 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, 1st February, 1894. }*

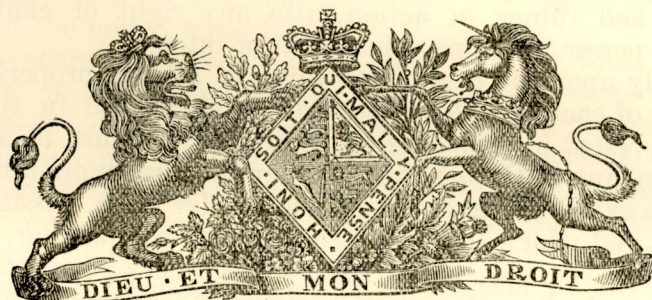
JOHN J. CALVERT,
Clerk of the Parliaments.

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

*Legislative Assembly Chamber,
Sydney, 23 May, 1894. }*

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to facilitate the carrying out the Reconstruction Schemes
of certain Companies.

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply: And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name: And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other reconstructed companies and corporations in the way and
to the extent hereinafter appearing: Be it therefore enacted by the
Queen's

c 4—

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

Reconstructed Companies.

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:—

5 1. This Act may be cited as the "Reconstructed Companies Short title. Act, 1894."

2. In this Act where not inconsistent with the context—

Interpretation.

"New Company" means the company formed by reconstruction of a pre-existing company.

10 "Old Company" means the pre-existing company which has been reconstructed.

15 "Property" means real and personal property of every description, including uncalled capital, and all interest, claims, and rights in, to, and out of property real and personal, and including obligations and things in action, also any right or claim against any person, and any other right or interest.

3. Immediately upon the passing of this Act all the property in New South Wales of each of the old companies mentioned in the Schedule to this Act vested in or belonging to or held in trust for or
20 on behalf of such company at the date of the order of court sanctioning its reconstruction not expressly excepted by such order from passing to the new company, and which shall not previously to the passing of this Act have been conveyed, transferred, released, or otherwise assured by the old company to which such property originally belonged shall,
25 without any conveyance, assignment, transfer, assurance, application, or other instrument, and without payment of any fees or duties whatsoever, vest in, pass to, and become absolutely the property of the new company, whose name appears in the fourth column of the said Schedule, opposite the name of the old company, to which such
30 property originally belonged, so that such new company shall thereupon become and be deemed to be the owner, registered owner, registered proprietor, or person entitled, claiming, interested, or affected in the place and stead of the old company, for all the estate, right, title, interest, claim, and demand which the old company had therein at the
35 date of such order, subject, nevertheless, to the equities (if any) affecting such property, and to the terms of any contract, agreement, or other dealing duly executed, made, or entered into with respect to such property since the date of such order.

Assets, &c., of old company vested in new.

4. All mortgages, liens, securities, bonds, guarantees, agree-
40 ments, contracts, deeds, documents, instruments, and writings whatsoever, relating to any real or personal property or affecting any rights or interests therein or giving any right or remedy to or against any person not expressly excepted from the operation of this Act, and in which the name of any of the old companies appears, and which were
45 in existence at the date of such order as aforesaid, and have not, previously to the passing of this Act, been released, discharged, conveyed, assigned, transferred, or otherwise assured by the old company, to which the same originally belonged, shall, immediately upon the passing of this Act, be read and construed as if the name of the new
50 company formed by reconstruction of the old company appeared therein as on and from the date of the incorporation of such new company instead of the name of the old company, and shall operate and take effect accordingly: Provided that any debtor of the old company shall be entitled to set off any debt against the new company, which, but
55 for the passing of this Act, he would have been entitled to set off against the old company.

Name of old company to be read as name of new company in all mortgages, &c.

5. All actions, demands, caveats, notices, or other proceedings commenced, made, entered, or given by or on behalf of or against, or
60 to any of the old companies previously to the passing of this Act may be prosecuted, acted upon, or otherwise dealt with, by and in the name of, or against the new company formed by reconstruction of the old company,

Actions, &c., by, or against old company to be prosecuted and dealt with in name of or against new company.

Reconstructed Companies.

company, as if such actions, demands, caveats, notices, and proceedings had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act, being a Bank in accordance with the interpretation clause of the "Bankers' Books Evidence Act, 1891," shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

Application of
"Bankers' Books
Evidence Act, 1891."

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity, who authorised the reconstruction of the company concerned, by proclamation under his hand, and published in the New South Wales Government Gazette, declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified. The word "company" in this section shall include a company or society formed by the reconstruction of any society registered under the "Friendly Societies Act of 1873."

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.
Reconstructed Companies.

Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
30 The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
35 The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
40 Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
45 The London Chartered Bank of Australia.	The High Court of Justice in England, 23rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
50 The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
55 The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
60 The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

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RECONSTRUCTED COMPANIES BILL.

SCHEDULE of Amendments referred to in Message of 23 May, 1894.

F. W. WEBB,
Clerk of the Legislative Assembly.

- Page 2, clause 4. *Add* at end of clause “ **Provided that any debtor of the old company shall be entitled to set off any debt against the new company which, but for the passing of this Act, he would have been entitled to set off against the old company** ”
- Page 3, clause 6, line 10. *After* “ **Act** ” *insert* “ **being a Bank in accordance with the interpretation clause of the Bankers’ Books Evidence Act, 1891** ”
- Page 3, clause 7, lines 18 and 19. *Omit* “ **who authorised the reconstruction of the company concerned** ”
- Page 3, clause 7. *Add* at end of clause “ **The word ‘company’ in this section shall include a company or society formed by the reconstruction of any society registered under the Friendly Societies Act of 1873** ”

This PUBLIC 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, 1st February, 1894. }*

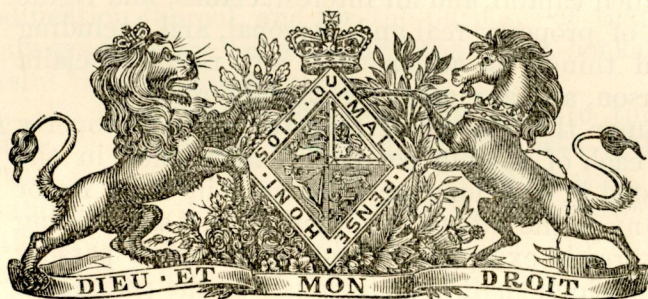
JOHN J. CALVERT,
Clerk of the Parliaments.

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

*Legislative Assembly Chamber,
Sydney, 23 May, 1894. }*

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to facilitate the carrying out the Reconstruction Schemes
of certain Companies.

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
5 the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
10 particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply: And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
15 company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name: And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other reconstructed companies and corporations in the way and
20 to the extent hereinafter appearing: Be it therefore enacted by the
c 4— Queen's

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

Reconstructed Companies.

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:—

5 1. This Act may be cited as the "Reconstructed Companies Short title.
Act, 1894."

2. In this Act where not inconsistent with the context— Interpretation.

"New Company" means the company formed by reconstruction of a pre-existing company.

10 "Old Company" means the pre-existing company which has been reconstructed.

15 "Property" means real and personal property of every description, including uncalled capital, and all interest, claims, and rights in, to, and out of property real and personal, and including obligations and things in action, also any right or claim against any person, and any other right or interest.

3. Immediately upon the passing of this Act all the property in New South Wales of each of the old companies mentioned in the Schedule to this Act vested in or belonging to or held in trust for or
20 on behalf of such company at the date of the order of court sanctioning its reconstruction not expressly excepted by such order from passing to the new company, and which shall not previously to the passing of this Act have been conveyed, transferred, released, or otherwise assured by the old company to which such property originally belonged shall,
25 without any conveyance, assignment, transfer, assurance, application, or other instrument, and without payment of any fees or duties whatsoever, vest in, pass to, and become absolutely the property of the new company, whose name appears in the fourth column of the said Schedule, opposite the name of the old company, to which such
30 property originally belonged, so that such new company shall thereupon become and be deemed to be the owner, registered owner, registered proprietor, or person entitled, claiming, interested, or affected in the place and stead of the old company, for all the estate, right, title, interest, claim, and demand which the old company had therein at the
35 date of such order, subject, nevertheless, to the equities (if any) affecting such property, and to the terms of any contract, agreement, or other dealing duly executed, made, or entered into with respect to such property since the date of such order.

4. All mortgages, liens, securities, bonds, guarantees, agree-
40 ments, contracts, deeds, documents, instruments, and writings whatsoever, relating to any real or personal property or affecting any rights or interests therein or giving any right or remedy to or against any person not expressly excepted from the operation of this Act, and in which the name of any of the old companies appears, and which were
45 in existence at the date of such order as aforesaid, and have not, previously to the passing of this Act, been released, discharged, conveyed, assigned, transferred, or otherwise assured by the old company, to which the same originally belonged, shall, immediately upon the passing of this Act, be read and construed as if the name of the new
50 company formed by reconstruction of the old company appeared therein as on and from the date of the incorporation of such new company instead of the name of the old company, and shall operate and take effect accordingly: Provided that any debtor of the old company shall be entitled to set off any debt against the new company, which, but
55 for the passing of this Act, he would have been entitled to set off against the old company.

5. All actions, demands, caveats, notices, or other proceedings commenced, made, entered, or given by or on behalf of or against, or
60 to any of the old companies previously to the passing of this Act may be prosecuted, acted upon, or otherwise dealt with, by and in the name of, or against the new company formed by reconstruction of the old company,

Assets, &c., of old company vested in new.

Name of old company to be read as name of new company in all mortgages, &c.

Actions, &c., by, or against old company to be prosecuted and dealt with in name of or against new company.

Reconstructed Companies.

company, as if such actions, demands, caveats, notices, and proceedings had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act, being a Bank in accordance with the interpretation clause of the "Bankers' Books Evidence Act, 1891," shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

Application of
"Bankers' Books
Evidence Act, 1891."

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity, who authorised the reconstruction of the company concerned, by proclamation under his hand, and published in the New South Wales Government Gazette, declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified. The word "company" in this section shall include a company or society formed by the reconstruction of any society registered under the "Friendly Societies Act of 1873."

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.
Reconstructed Companies.

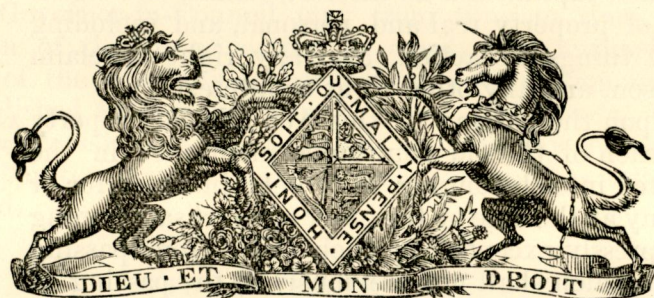
Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
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60 The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

This PUBLIC 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, 1st February, 1894. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to facilitate the carrying out the Reconstruction Schemes
of certain Companies.

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
5 the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
10 particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply: And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
15 company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name: And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other reconstructed companies and corporations in the way and
20 to the extent hereinafter appearing: Be it therefore enacted by the

Reconstructed Companies.

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 :—

- 5 1. This Act may be cited as the "Reconstructed Companies Short title.
Act, 1894."
2. In this Act where not inconsistent with the context— Interpretation.
"New Company" means the company formed by reconstruction
of a pre-existing company.
- 10 "Old Company" means the pre-existing company which has been
reconstructed.
- 15 "Property" means real and personal property of every description,
including uncalled capital, and all interest, claims, and rights
in, to, and out of property real and personal, and including
obligations and things in action, also any right or claim
against any person, and any other right or interest.
3. Immediately upon the passing of this Act all the property Assets, &c., of old
in New South Wales of each of the old companies mentioned in the company vested in
Schedule to this Act vested in or belonging to or held in trust for or new.
20 on behalf of such company at the date of the order of court sanctioning
its reconstruction not expressly excepted by such order from passing
to the new company, and which shall not previously to the passing of
this Act have been conveyed, transferred, released, or otherwise assured
by the old company to which such property originally belonged shall,
25 without any conveyance, assignment, transfer, assurance, application,
or other instrument, and without payment of any fees or duties what-
soever, vest in, pass to, and become absolutely the property of the new
company, whose name appears in the fourth column of the said
Schedule, opposite the name of the old company, to which such
30 property originally belonged, so that such new company shall there-
upon become and be deemed to be the owner, registered owner, registered
proprietor, or person entitled claiming interested or affected in the
place and stead of the old company, for all the estate, right, title,
interest, claim, and demand which the old company had therein at the
35 date of such order, subject, nevertheless, to the equities (if any) affecting
such property, and to the terms of any contract, agreement, or other
dealing duly executed, made, or entered into with respect to such
property since the date of such order.
4. All mortgages, liens, securities, bonds, guarantees, agree- Name of old company
40 ments, contracts, deeds, documents, instruments, and writings whatso- to be read as name of
ever, relating to any real or personal property or affecting any rights new company in all
or interests therein or giving any right or remedy to or against any mortgages, &c.
person not expressly excepted from the operation of this Act, and in
which the name of any of the old companies appears, and which were
45 in existence at the date of such order as aforesaid, and have not,
previously to the passing of this Act, been released, discharged, con-
veyed, assigned, transferred, or otherwise assured by the old company,
to which the same originally belonged, shall, immediately upon the
passing of this Act, be read and construed as if the name of the new
50 company formed by reconstruction of the old company appeared therein
as on and from the date of the incorporation of such new company
instead of the name of the old company, and shall operate and take
effect accordingly.
5. All actions, demands, caveats, notices, or other proceedings Actions, &c., by, or
55 commenced, made, entered, or given by or on behalf of or against, or against old company
to any of the old companies previously to the passing of this Act may to be prosecuted and
be prosecuted, acted upon, or otherwise dealt with, by and in the name dealt with in name of
of, or against the new company formed by reconstruction of the old or against new com-
company, as if such actions demands, caveats, notices, and proceedings pany.
had

Reconstructed Companies.

had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

Application of
"Bankers' Books
Evidence Act 1891."

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity who authorized the reconstruction of the company concerned, by proclamation under his hand, and published in the New South Wales *Government Gazette*, declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified.

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.

Reconstructed Companies.

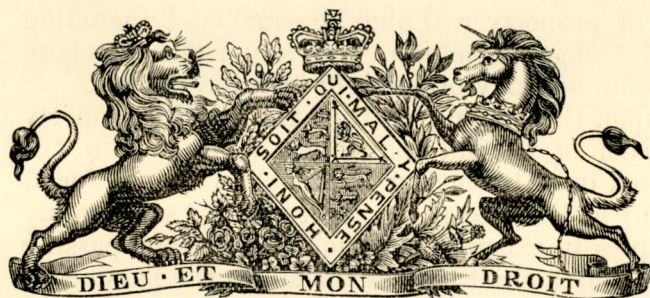
Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
25 The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
30 The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
35 Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
40 The London Chartered Bank of Australia.	The High Court of Justice in England, 23rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
45 The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
50 The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
55 The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

This PUBLIC 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, 1st February, 1894. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to facilitate the carrying out the Reconstruction Schemes
of certain Companies.

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply: And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name: And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other reconstructed companies and corporations in the way and
to the extent hereinafter appearing: Be it therefore enacted by the

Reconstructed Companies.

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:—

5 1. This Act may be cited as the "Reconstructed Companies Short title.
Act, 1894."

2. In this Act where not inconsistent with the context— Interpretation.
"New Company" means the company formed by reconstruction
of a pre-existing company.

10 "Old Company" means the pre-existing company which has been
reconstructed.

15 "Property" means real and personal property of every description,
including uncalled capital, and all interest, claims, and rights
in, to, and out of property real and personal, and including
obligations and things in action, also any right or claim
against any person, and any other right or interest.

3. Immediately upon the passing of this Act all the property Assets, &c., of old
in New South Wales of each of the old companies mentioned in the company vested in
Schedule to this Act vested in or belonging to or held in trust for or new.
20 on behalf of such company at the date of the order of court sanctioning
its reconstruction not expressly excepted by such order from passing
to the new company, and which shall not previously to the passing of
this Act have been conveyed, transferred, released, or otherwise assured
by the old company to which such property originally belonged shall,
25 without any conveyance, assignment, transfer, assurance, application,
or other instrument, and without payment of any fees or duties what-
soever, vest in, pass to, and become absolutely the property of the new
company, whose name appears in the fourth column of the said
Schedule, opposite the name of the old company, to which such
30 property originally belonged, so that such new company shall there-
upon become and be deemed to be the owner, registered owner, registered
proprietor, or person entitled claiming interested or affected in the
place and stead of the old company, for all the estate, right, title,
interest, claim, and demand which the old company had therein at the
35 date of such order, subject, nevertheless, to the equities (if any) affecting
such property, and to the terms of any contract, agreement, or other
dealing duly executed, made, or entered into with respect to such
property since the date of such order.

4. All mortgages, liens, securities, bonds, guarantees, agree- Name of old company
40 ments, contracts, deeds, documents, instruments, and writings whatso- to be read as name of
ever, relating to any real or personal property or affecting any rights new company in all
or interests therein or giving any right or remedy to or against any mortgages, &c.
person not expressly excepted from the operation of this Act, and in
which the name of any of the old companies appears, and which were
45 in existence at the date of such order as aforesaid, and have not,
previously to the passing of this Act, been released, discharged, con-
veyed, assigned, transferred, or otherwise assured by the old company,
to which the same originally belonged, shall, immediately upon the
passing of this Act, be read and construed as if the name of the new
50 company formed by reconstruction of the old company appeared therein
as on and from the date of the incorporation of such new company
instead of the name of the old company, and shall operate and take
effect accordingly.

5. All actions, demands, caveats, notices, or other proceedings Actions, &c., by, or
55 commenced, made, entered, or given by or on behalf of or against, or against old company
to any of the old companies previously to the passing of this Act may to be prosecuted and
be prosecuted, acted upon, or otherwise dealt with, by and in the name dealt with in name of
of, or against the new company formed by reconstruction of the old or against new com-
company, as if such actions demands, caveats, notices, and proceedings pany.
had

Reconstructed Companies.

had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity who authorized the reconstruction of the company concerned, by proclamation under his hand, and published in the New South Wales Government Gazette, declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified.

THE SCHEDULE.

Reconstructed Companies.

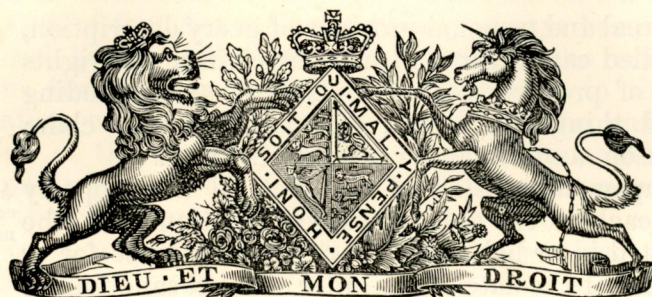
Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
25 The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
30 The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
35 Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
40	The High Court of Justice in England, 23rd August, 1893.		
The London Chartered Bank of Australia.	The High Court of Justice in England, 3rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
45 The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
50			
The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).
55			

This PUBLIC 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, February, 1894. }*

Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to facilitate the carrying out the Reconstruction Schemes
of certain Companies.

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
5 the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
10 particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply: And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
15 company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name: And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other reconstructed companies and corporations in the way and
20 to the extent hereinafter appearing: Be it therefore enacted by the

c 4—

Queen's

Reconstructed Companies.

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:—

5 1. This Act may be cited as the "Reconstructed Companies Short title.
Act, 1894."

2. In this Act where not inconsistent with the context— Interpretation.
"New Company" means the company formed by reconstruction
of a pre-existing company.

10 "Old Company" means the pre-existing company which has been
reconstructed.

15 "Property" means real and personal property of every description,
including uncalled capital, and all interest, claims, and rights
in, to, and out of property real and personal, and including
obligations and things in action, also any right or claim
against any person, and any other right or interest.

3. Immediately upon the passing of this Act all the property Assets, &c., of old
in New South Wales of each of the old companies mentioned in the company vested in
Schedule to this Act vested in or belonging to or held in trust for or new.
20 on behalf of such company at the date of the order of court sanctioning
its reconstruction not expressly excepted by such order from passing
to the new company, and which shall not previously to the passing of
this Act have been conveyed, transferred, released, or otherwise assured
by the old company to which such property originally belonged shall,
25 without any conveyance, assignment, transfer, assurance, application,
or other instrument, and without payment of any fees or duties what-
soever, vest in, pass to, and become absolutely the property of the new
company, whose name appears in the fourth column of the said
Schedule, opposite the name of the old company, to which such
30 property originally belonged, so that such new company shall there-
upon become and be deemed to be the owner, registered owner, registered
proprietor, or person entitled claiming interested or affected in the
place and stead of the old company, for all the estate, right, title,
interest, claim, and demand which the old company had therein at the
35 date of such order, subject, nevertheless, to the equities (if any) affecting
such property, and to the terms of any contract, agreement, or other
dealing duly executed, made, or entered into with respect to such
property since the date of such order.

4. All mortgages, liens, securities, bonds, guarantees, agree- Name of old company
40 ments, contracts, deeds, documents, instruments, and writings whatso- to be read as name of
ever, relating to any real or personal property or affecting any rights new company in all
or interests therein or giving any right or remedy to or against any mortgages, &c.
person not expressly excepted from the operation of this Act, and in
which the name of any of the old companies appears, and which were
45 in existence at the date of such order as aforesaid, and have not,
previously to the passing of this Act, been released, discharged, con-
veyed, assigned, transferred, or otherwise assured by the old company,
to which the same originally belonged, shall, immediately upon the
passing of this Act, be read and construed as if the name of the new
50 company formed by reconstruction of the old company appeared therein
as on and from the date of the incorporation of such new company
instead of the name of the old company, and shall operate and take
effect accordingly.

5. All actions, demands, caveats, notices, or other proceedings Actions, &c., by, or
55 commenced, made, entered, or given by or on behalf of or against, or against old company
to any of the old companies previously to the passing of this Act may to be prosecuted and
be prosecuted, acted upon, or otherwise dealt with, by and in the name dealt with in name of
of, or against the new company formed by reconstruction of the old or against new com-
company, as if such actions demands, caveats, notices, and proceedings pany.
had

Reconstructed Companies.

had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity who authorized the reconstruction of the company concerned, by proclamation under his hand, and published in the New South Wales *Government Gazette*, declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified.

Application of
"Bankers' Books
Evidence Act 1891."

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.

Reconstructed Companies.

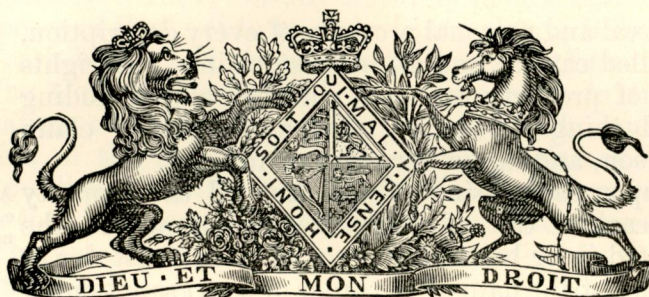
Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
25 The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
30 The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
35 Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
40 The London Chartered Bank of Australia.	The High Court of Justice in England, 23rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
45 The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
50 The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
55 The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

This PUBLIC 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, February, 1891. }*

Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to facilitate the carrying out the Reconstruction Schemes
of certain Companies.

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
5 the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
10 particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply: And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
15 company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name: And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other reconstructed companies and corporations in the way and
20 to the extent hereinafter appearing: Be it therefore enacted by the
c 4— Queen's

Reconstructed Companies.

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:—

5 1. This Act may be cited as the "Reconstructed Companies Short title.
Act, 1894."

2. In this Act where not inconsistent with the context— Interpretation.
"New Company" means the company formed by reconstruction
of a pre-existing company.

10 "Old Company" means the pre-existing company which has been
reconstructed.

15 "Property" means real and personal property of every description,
including uncalled capital, and all interest, claims, and rights
in, to, and out of property real and personal, and including
obligations and things in action, also any right or claim
against any person, and any other right or interest.

3. Immediately upon the passing of this Act all the property Assets, &c., of old
in New South Wales of each of the old companies mentioned in the company vested in
Schedule to this Act vested in or belonging to or held in trust for or new.
20 on behalf of such company at the date of the order of court sanctioning
its reconstruction not expressly excepted by such order from passing
to the new company, and which shall not previously to the passing of
this Act have been conveyed, transferred, released, or otherwise assured
by the old company to which such property originally belonged shall,
25 without any conveyance, assignment, transfer, assurance, application,
or other instrument, and without payment of any fees or duties what-
soever, vest in, pass to, and become absolutely the property of the new
company, whose name appears in the fourth column of the said
Schedule, opposite the name of the old company, to which such
30 property originally belonged, so that such new company shall there-
upon become and be deemed to be the owner, registered owner, registered
proprietor, or person entitled claiming interested or affected in the
place and stead of the old company, for all the estate, right, title,
interest, claim, and demand which the old company had therein at the
35 date of such order, subject, nevertheless, to the equities (if any) affecting
such property, and to the terms of any contract, agreement, or other
dealing duly executed, made, or entered into with respect to such
property since the date of such order.

4. All mortgages, liens, securities, bonds, guarantees, agree- Name of old company
40 ments, contracts, deeds, documents, instruments, and writings whatso- to be read as name of
ever, relating to any real or personal property or affecting any rights new company in all
or interests therein or giving any right or remedy to or against any mortgages, &c.
person not expressly excepted from the operation of this Act, and in
which the name of any of the old companies appears, and which were
45 in existence at the date of such order as aforesaid, and have not,
previously to the passing of this Act, been released, discharged, con-
veyed, assigned, transferred, or otherwise assured by the old company,
to which the same originally belonged, shall, immediately upon the
passing of this Act, be read and construed as if the name of the new
50 company formed by reconstruction of the old company appeared therein
as on and from the date of the incorporation of such new company
instead of the name of the old company, and shall operate and take
effect accordingly.

5. All actions, demands, caveats, notices, or other proceedings Actions, &c., by, or
55 commenced, made, entered, or given by or on behalf of or against, or against old company
to any of the old companies previously to the passing of this Act may to be prosecuted and
be prosecuted, acted upon, or otherwise dealt with, by and in the name dealt with in name of
of, or against the new company formed by reconstruction of the old or against new com-
company, as if such actions demands, caveats, notices, and proceedings pany.
had

Reconstructed Companies.

had been commenced, made, entered, given, by, to, or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of the incorporation of such new company as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

Application of
"Bankers' Books
Evidence Act 1891."

7. The Governor-in-Council may from time to time, on the recommendation of the judge sitting in equity who authorized the reconstruction of the company concerned, by proclamation under his hand, and published in the New South Wales *Government Gazette*, declare that the provisions of this Act shall apply to any reconstructed company or corporation named in such proclamation from a date to be therein specified.

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.

Reconstructed Companies.

Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
25 The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
30 The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
35 Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
40 The London Chartered Bank of Australia.	The High Court of Justice in England, 23rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
45 The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
50 The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
55 The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

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Legislative Council.

57^o VICTORIÆ, 1894.

A BILL

To facilitate the carrying out the Reconstruction Schemes
of certain Companies.

[MR. C. G. HEYDON ;—25 *January*, 1894.]

WHEREAS each of the several companies named in the first column of the Schedule to this Act has been reconstructed, and such reconstruction has in the case of those companies which were incorporated by or under the provisions of an Act either of the Colony of New South Wales or Victoria been sanctioned by an order of the Supreme Court of such Colony, and in the case of those companies which were incorporated by or under the provisions of an Act of the United Kingdom or Royal Charter by an order of a Court of competent jurisdiction in the United Kingdom, short particulars of which several orders are set forth in the second column of the Schedule to this Act opposite the names of the companies to which they apply : And whereas each of the companies so reconstructed is now incorporated under the Act specified in the third column of the Schedule to this Act, opposite the name of the company, and is carrying on business in the Colony of New South Wales under the name in the fourth column of the said Schedule printed opposite its old name : And whereas it is expedient to facilitate the carrying out of the reconstruction of such companies and of other corporations in the way and to the extent hereinafter appearing : Be it therefore enacted by the Queen's Most Excellent Majesty,

c 4—

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 as the "Reconstructed Companies Act, 1894." 5
Interpretation.	2. In this Act where not inconsistent with the context— "New Company" means the company formed by reconstruction of a pre-existing company. "Old Company" means the pre-existing company which has been reconstructed. 10 "Property" means real and personal property of every description, including uncalled capital, and all interest, claims, and rights in, to, and out of property real and personal, and including obligations and things in action, also any right or claim against any person, and any other right or interest. 15
Assets, &c., of old company vested in new.	3. Immediately upon the passing of this Act all the property in New South Wales of each of the old companies mentioned in the Schedule to this Act vested in or belonging to or held in trust for or on behalf of such company at the date of the order of court sanctioning its reconstruction not expressly excepted by such order from passing 20 to the new company, and which shall not previously to the passing of this Act have been conveyed, transferred, released, or otherwise assured by the old company to which such property originally belonged shall, without any conveyance, assignment, transfer, assurance, application, or other instrument, and without payment of any fees or duties what- 25 soever, vest in, pass to, and become absolutely the property of the new company, whose name appears in the fourth column of the said Schedule, opposite the name of the old company, to which such property originally belonged, so that such new company shall thereupon become and be deemed to be the registered owner or person 30 interested or affected in the place and stead of the old company, for all the estate, right, title, interest, claim, and demand which the old company had therein at the date of such order, subject, nevertheless, to the equities (if any) affecting such property, and to the terms of any contract, agreement, or other dealing duly executed, made, or 35 entered into by the old company with respect to such property since the date of such order.
Name of old company to be read as name of new company in all mortgages, &c.	4. All mortgages, liens, securities, bonds, guarantees, agreements, contracts, deeds, documents, instruments, and writings whatsoever, relating to any real or personal property or affecting any rights 40 or interests therein or giving any right or remedy to or against any person not expressly excepted from the operation of this Act, and in which the name of any of the old companies appears, and which were in existence at the date of such order as aforesaid, and have not, previously to the passing of this Act, been released, discharged, con- 45 veyed, assigned, transferred, or otherwise assured by the old company, to which the same originally belonged, shall, immediately upon the passing of this Act, be read and construed as if the name of the new company formed by reconstruction of the old company appeared therein as on and from the date of the incorporation of such new company 50 instead of the name of the old company, and shall operate and take effect accordingly.
Actions, &c., by, or against old company to be prosecuted and dealt with in name of or against new company.	5. All actions, demands, caveats, notices, or other proceedings commenced, made, entered, or given by or on behalf of or against, or to any of the old companies previously to the passing of this Act may 55 be prosecuted, acted upon, or otherwise dealt with, by and in the name of, or against the new company formed by reconstruction of the old company, as if such actions demands, caveats, notices, and proceedings had been commenced, made, entered, given, or proceeded with, by, to, or

or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon
5 the new company accordingly as from the date of such order as afore-said.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act shall be held to be Bankers' Books within the provisions of the "Bankers'
10 Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

7. The Governor-in-Council may from time to time, as he thinks
fit, by proclamation under his hand, and published in the New South
15 Wales *Government Gazette*, declare that the provisions of this Act shall apply to any corporation named in such proclamation from a date to be therein specified.

Application of
"Bankers' Books
Evidence Act 1891."

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.

Reconstructed Companies.

20	Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
25	The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
30	The National Bank of Australasia.	Supreme Court of the Colony of Victoria, 2nd June, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The National Bank of Australasia (Limited).
35	Goldsbrough, Mort and Company (Limited).	Supreme Court of the Colony of Victoria, 22nd August, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	Goldsbrough, Mort, and Company (Limited).
40	The London Chartered Bank of Australia.	The High Court of Justice in England, 23rd August, 1893.	Companies Acts (England) 1862 to 1890.	The London Bank of Australia (Limited).
45	The English, Scottish, and Australian Chartered Bank.	The High Court of Justice in England, 1st July, 1893.	Companies Acts (England) 1862 to 1890.	The English, Scottish, and Australian Bank (Limited).
50	The Commercial Banking Company of Sydney.	Supreme Court of New South Wales, 16th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Commercial Banking Company of Sydney (Limited).
55	The Australian Joint Stock Bank.	Supreme Court of New South Wales, 15th June, 1893.	The Act of the Legislature of New South Wales, cited and known as the Companies Act.	The Australian Joint Stock Bank (Limited).

Legislative Council.

57^o VICTORIÆ, 1894.

A BILL

To facilitate the carrying out the Reconstruction Schemes
of certain Companies.

[MR. C. G. HEYDON ;—25 *January*, 1894.]

WHEREAS each of the several companies named in the first Preamble.
column of the Schedule to this Act has been reconstructed,
and such reconstruction has in the case of those companies which
were incorporated by or under the provisions of an Act either of
5 the Colony of New South Wales or Victoria been sanctioned by an
order of the Supreme Court of such Colony, and in the case of
those companies which were incorporated by or under the provisions
of an Act of the United Kingdom or Royal Charter by an order
of a Court of competent jurisdiction in the United Kingdom, short
10 particulars of which several orders are set forth in the second
column of the Schedule to this Act opposite the names of the
companies to which they apply : And whereas each of the companies
so reconstructed is now incorporated under the Act specified in the
third column of the Schedule to this Act, opposite the name of the
15 company, and is carrying on business in the Colony of New South
Wales under the name in the fourth column of the said Schedule
printed opposite its old name : And whereas it is expedient to
facilitate the carrying out of the reconstruction of such companies
and of other corporations in the way and to the extent hereinafter
20 appearing : Be it therefore enacted by the Queen's Most Excellent
c 4— Majesty,

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 as the "Reconstructed Companies Act, 1894."

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Interpretation.

2. In this Act where not inconsistent with the context—

"New Company" means the company formed by reconstruction of a pre-existing company.

"Old Company" means the pre-existing company which has been reconstructed.

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"Property" means real and personal property of every description, including uncalled capital, and all interest, claims, and rights in, to, and out of property real and personal, and including obligations and things in action, also any right or claim against any person, and any other right or interest.

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Assets, &c., of old company vested in new.

3. Immediately upon the passing of this Act all the property in New South Wales of each of the old companies mentioned in the Schedule to this Act vested in or belonging to or held in trust for or on behalf of such company at the date of the order of court sanctioning its reconstruction not expressly excepted by such order from passing to the new company, and which shall not previously to the passing of this Act have been conveyed, transferred, released, or otherwise assured by the old company to which such property originally belonged shall, without any conveyance, assignment, transfer, assurance, application, or other instrument, and without payment of any fees or duties whatsoever, vest in, pass to, and become absolutely the property of the new company, whose name appears in the fourth column of the said Schedule, opposite the name of the old company, to which such property originally belonged, so that such new company shall thereupon become and be deemed to be the registered owner or person interested or affected in the place and stead of the old company, for all the estate, right, title, interest, claim, and demand which the old company had therein at the date of such order, subject, nevertheless, to the equities (if any) affecting such property, and to the terms of any contract, agreement, or other dealing duly executed, made, or entered into by the old company with respect to such property since the date of such order.

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Name of old company to be read as name of new company in all mortgages, &c.

4. All mortgages, liens, securities, bonds, guarantees, agreements, contracts, deeds, documents, instruments, and writings whatsoever, relating to any real or personal property or affecting any rights or interests therein or giving any right or remedy to or against any person not expressly excepted from the operation of this Act, and in which the name of any of the old companies appears, and which were in existence at the date of such order as aforesaid, and have not, previously to the passing of this Act, been released, discharged, conveyed, assigned, transferred, or otherwise assured by the old company, to which the same originally belonged, shall, immediately upon the passing of this Act, be read and construed as if the name of the new company formed by reconstruction of the old company appeared therein as on and from the date of the incorporation of such new company instead of the name of the old company, and shall operate and take effect accordingly.

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Actions, &c., by, or against old company to be prosecuted and dealt with in name of or against new company.

5. All actions, demands, caveats, notices, or other proceedings commenced, made, entered, or given by or on behalf of or against, or to any of the old companies previously to the passing of this Act may be prosecuted, acted upon, or otherwise dealt with, by and in the name of, or against the new company formed by reconstruction of the old company, as if such actions demands, caveats, notices, and proceedings had been commenced, made, entered, given, or proceeded with, by, to,

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or

or on behalf of, or against, or to the new company, and the benefit or burden of any decree, judgment, order, verdict, award, demand, caveat, notice, or proceeding to which any such old company was entitled or subject at the passing of this Act, shall enure to or be binding upon the new company accordingly as from the date of such order as aforesaid.

6. The ledgers, day-books, cash-books, and other account-books of the old company passing to the new company under this Act shall be held to be Bankers' Books within the provisions of the "Bankers' Books Evidence Act, 1891," or any statutory modification thereof, and for the purposes of that Act to be and to have always been the ledgers, day-books, cash-books, and other account-books of the new company.

7. The Governor-in-Council may from time to time, as he thinks fit, by proclamation under his hand, and published in the New South Wales *Government Gazette*, declare that the provisions of this Act shall apply to any corporation named in such proclamation from a date to be therein specified.

Application of
"Bankers' Books
Evidence Act 1891."

Power to Governor
to extend provisions
of the Act.

THE SCHEDULE.

Reconstructed Companies.

20	Old Company.	Sanctioning Order, Court, making, and date of.	Incorporating Act.	New Company.
25	The Commercial Bank of Australia (Limited).	Supreme Court of the Colony of Victoria, 26th April, 1893.	The Act of the Legislature of Victoria, cited and known as the Companies Act, 1890.	The Commercial Bank of Australia (Limited).
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