

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXIV.

An Act to amend an Act for granting certain Powers and Authorities to a Company to be incorporated by Charter, to be called "The *Australian* Agricultural Company," for the Cultivation and Improvement of Waste Lands in the Colony of *New South Wales*, and for other Purposes relating thereto. [29th *May* 1830.]

WHEREAS by an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for granting certain Powers and Authorities to a Company to be incorporated by a Charter, to be called "The* Australian *Agricultural Company," for the Cultivation and Improvement of Waste Lands in the Colony of* New South Wales, *and for other Purposes relating thereto,* it was enacted, that in case His Majesty should, within Three Years next after passing that Act, be pleased, by Charter under the Great Seal of *Great Britain,* to declare and grant that such Persons as therein mentioned should be a Body Politic and Corporate by the Name of "The *Australian* Agricultural Company," for the Purposes therein expressed, the said Company should have and enjoy the Rights and Privileges, and be subject to the Regulations, Restrictions, and Conditions, in the said Act mentioned and contained: And whereas His Majesty was graciously pleased, by His Royal Letters Patent under the Great Seal of *Great Britain,* bearing Date at *Westminster* the 5 G. 4. c. 86.

First Day of *November* in the Fifth Year of His Reign, to grant and declare that the several Persons therein named, and such others as were therein expressed, should be a Body Politic and Corporate by the Name of "The *Australian* Agricultural Company," and by that Name should have perpetual Succession and a Common Seal, and by that Name should and might sue and be sued, plead and impleaded, at Law or in Equity; and His said Majesty did thereby declare that the said Corporation should be and was established for the Purpose of cultivating Waste Lands in the said Colony of *New South Wales*, and that the Business and Affairs of the said Corporation should be managed and conducted, and the Officers thereof elected and appointed, in the Manner and Form in and by the said Act provided in that Behalf, and in none other: And whereas some of the Provisions in the said Act contained for the Regulation and Government of the said *Australian* Agricultural Company have been found inconvenient, and it is expedient to alter and amend the same: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Reducing the Number of Directors.

That from and after the passing of this Act no Vacancy already existing or hereafter to arise or exist in the Number of the Directors of the said Company shall be filled up until the Number of Directors shall be reduced below Twelve; and in case the Number of Directors shall be reduced below Twelve, by Death, Resignation, or Disqualification of the existing Directors, before the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-two, a new Director or Directors, as the Case may require, shall be chosen, in the Manner directed in and by the said Act, to make up the Number of Twelve Directors; and in case the Number of Directors shall not by the Ways and Means aforesaid be reduced to Twelve at or before the said Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-two, such a Number of the Directors shall then go out of the said Office of Director as shall reduce the Number of existing Directors to Nine, and on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-three, and in each successive Year, Three other Directors shall go out of the said Office of Director; and at the General Meeting of Proprietors which shall be holden on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-two, or within Fourteen Days after, and at the like General Meeting in each succeeding Year, there shall be an Election of Three Proprietors, qualified as in the said Act mentioned, who shall be Three of the Directors of the Affairs of the said Company for Four Years, to be computed from the Day of Election, and until others or another shall be duly elected into their or any or either of their Places.

No Directors to go out by Rotation, nor any to be elected, in 1831.

II. And be it enacted, That none of the Directors shall go out of the said Office, by Ballot or Rotation, on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-one, nor shall any Election of Directors be had at the General Meeting of Proprietors to be then held.

III. And

Regulating the Manner of Directors going out of Office.

III. And be it further enacted, That the Mode of determining the Directors who shall go out of the Office of Director, and the Mode of Election and Right of being re-eligible to the said Office, shall be the same as are in the said Act mentioned, or as near thereto as the Circumstances of the Case will admit of; and that all the Powers and Authorities in and by the said Act vested in the Governor, Deputy Governor, and Twenty-four Directors of the said Company, shall be vested in and shall and may be exercised by the Governor, Deputy Governor, and existing Directors of the said Company, until they shall be reduced to Twelve, and thenceforth by the Governor, Deputy Governor, and Twelve Directors of the said Company, in the same Manner and as amply and fully to all Intents and Purposes as if the same had been Part of the original Constitution of the said Company.

Repealing Provision in former Act respecting Certificate of Shares.

IV. And whereas it is in and by the said Act provided that the said Company, or the Directors to be appointed by virtue of that Act, should cause the Names and Designations of the several Persons who had subscribed for or might at any Time thereafter be entitled to a Share or Shares in the said Company, with the Number of such Share or Shares, and also the proper Number by which every Share should be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by their Clerk, and, after such Entry, a Certificate under the Common Seal of the said Company, and countersigned by the Clerk, should be delivered to every Proprietor, upon Demand, specifying the Share or Shares to which he or she is entitled in the said Company, and such Certificate should be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified, but the Want of such Certificate should not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof: And whereas the Issue of such Certificate as aforesaid under the Common Seal of the Company has been found to produce Inconvenience; be it therefore enacted, That from and after the passing of this Act no Proprietor shall be entitled to require any such Certificate, nor shall any such Certificate heretofore granted or to be granted be of any Force or Effect whatever.

Amending Provision in former Act respecting the Manner of voting at Meetings.

V. And whereas it is in and by the said Act provided that all Questions at any General or other Meeting of the said Company shall be decided by a Majority of Votes of the Proprietors present, according to their respective Shares, in manner therein mentioned: And whereas the said Provision has been found inconvenient; be it therefore enacted, That it shall and may be lawful to and for the Chairman of any such Meeting to take the Decision of such Meeting, on any Questions submitted to them, by Show of Hands of the Proprietors present; provided that it shall be competent to the Chairman, or to any Two Persons being Proprietors of not less then Ten Shares each, if he or they shall be dissatisfied, to demand that such Question shall be decided by a Majority of Votes of the Proprietors present in the Manner in the said Act provided, which Decision shall be immediately taken in manner therein prescribed.

VI. And

Company authorized to hold Lands in Great Britain.

VI. And whereas it may become necessary for the Purposes of the said Company that the said Company should be authorized to hold Lands and Tenements in the United Kingdom of *Great Britain* and *Ireland*; be it therefore enacted, That it shall and may be lawful to and for the said Corporation to hold to them and their Successors such Lands, Tenements, and Hereditaments in *Great Britain* and *Ireland* as shall be contracted for and purchased or acquired by them, and to hold, alienate, sell, and dispose of the same; provided that the said Corporation shall not at any one Time hold any Lands, Tenements, and Hereditaments in *Great Britain* and *Ireland* exceeding in Value the Sum of One thousand Pounds *per Annum*.

Public Act.

VII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall extend and be in force in the said Colony of *New South Wales* and its Dependencies, and shall be judicially taken notice of as such by all Judges, Justices, and others in the United Kingdom aforesaid, and in the said Colony and its Dependencies, without being specially pleaded.

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