

W. Australian Trustee Executor and Agency Company (Limited)

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ

PRIVATE ACT

An Act to confer Powers upon the West Australian Trustee Executor and Agency Company, Limited.

[Assented to 13th January, 1893.]

WHEREAS from the uncertainty of human life and from other causes great difficulty often arises in securing the services of suitable persons for the office of trustee executor and other similar offices: And whereas in order to secure the more certain discharge of the duties of such offices a company has been formed and incorporated under 'The Joint Stock Companies Ordinance, 1858' by the name of the 'West Australian Trustee Executor and Agency Company Limited' with the object among other purposes of affording persons the opportunity of obtaining the services of a permanent corporation for the performance of the duties of such offices and thus to remove much of the uncertainty and insecurity which attend the appointment of private individuals; And whereas it is expedient to enable the said incorporated Company to act as executor administrator and trustee and to perform and discharge all the duties of such offices and to receive remuneration for such duties and also to act as guardian of any lunatic or infant as receiver as committee of the estates of insane persons trustee of the estates of bankrupt or insolvent persons as agent under power of attorney and as guarantor or surety either solely or jointly with any person for any person appointed as administrator receiver guardian committee in lunacy or trustee in bankruptcy and to perform and discharge all the duties of such offices and to receive remuneration therefor; And whereas it is expedient to confer upon the said Company the powers and privileges hereinafter set forth in order to enable the said Company the more effectually and usefully to carry out the objects sought in its incorporation: Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of West Australia in its present Parliament assembled and by the authority of the same as follows:—

1. In this Act unless the context otherwise indicates the following terms have the meanings set against them respectively—

'The Company'—The West Australian Trustee Executor and Agency Company, Limited.

'The Court'—The Supreme Court of Western Australia.

'Committee'—The Committee of the Estate under 'The Lunacy Act, 1871,' or any other law in force for the time being relating to the management of the estates of Insane persons.

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'Trustee in Bankruptcy'—Trustee appointed under any of the provisions of 'The Bankruptcy Act, 1892,' or any other law in force for the time being relating to Bankruptcy Insolvency Liquidation by Arrangement or Composition with Creditors.

'The Treasurer'—The Treasurer of the Colony of Western Australia.

'Will'—Will Codicil or other Testamentary Writing.

Company may act as executor and obtain probate

2. Whenever the Company is named (either by its said registered title or in such manner that the Court shall be satisfied that the Company is intended) as executor in the last will of any testator or is named therein in such manner that if the Company were a private person it would be entitled to apply for and obtain probate as executor according to the tenor the Company may act as executor and the Company may apply for probate of the will of the testator and the Court may grant probate thereof to the Company and if such probate is granted the Company may perform and discharge all the acts and duties of an executor as fully and effectually as a private person may do when appointed executor.

Company may obtain letters of administration with the will annexed

3. In all cases in which a private person may apply for and obtain letters of administration with the will annexed of the estate of a deceased person dying either before or after the passing of this Act such person may instead of himself applying authorise the Company to apply for and to obtain letters of administration with the will annexed which may be granted to the Company upon its own application when so authorised.

Persons entitled to administration on intestacy may authorise Company to obtain administration

4. Any person entitled to obtain administration of the estate of any intestate may instead of himself applying authorise the Company to apply for administration of such estate and administration of such estate may be granted to the Company upon its own application when so authorised.

Without prejudice to rights of persons interested

5. Nothing in the two last preceding sections contained shall be deemed to prejudice or affect the right of any person interested in the estate of any deceased person other than such persons in the said sections mentioned to apply for and obtain letters of administration with or without the will annexed in any of the cases in the said sections mentioned.

Company may perform acts which belong to office of administrator

6. When the administration of any estate with or without the will annexed is granted to the Company the Company may perform and discharge all the acts and duties which belong to the office of administrator or administrator with the will annexed as the case may be.

Court to act upon affidavit of officers of Company in application for probate or administration

7. In all cases in which the Company is empowered under this Act to apply for probate or for letters of administration with or without the will annexed the Court in which or the officer before whom such application is made shall receive and may act upon an affidavit made by the manager acting manager or secretary or any two of the directors of the Company in place of any affidavit required by the Court or such officer as aforesaid to be made by a private person making application for probate or letters of administration.

Assets of Company to be liable

8. In all cases in which probate or letters of administration shall

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be granted to the Company all the capital both paid and unpaid and all other assets of the Company shall be liable for the proper administration of the estate committed to the Company. The Company shall before obtaining any Grant of Probate of any Will or letters of administration possess a paid-up capital of not less than Six thousand pounds of which paid-up capital not less than Five thousand pounds shall be invested by the Company in the name of the Treasurer in one or more of the securities or investments hereinafter mentioned that is to say:—In the purchase of bonds debentures treasury bills or other securities issued by the Government of or any Municipal Corporation in Western Australia or upon fixed deposit in one or more joint stock bank or banks carrying on business in the said Colony or upon first mortgages of freehold real estates in the said Colony; provided that the amount advanced on mortgage of any one estate shall not exceed two-thirds of the value thereof and that before any such investment shall be made the same shall be approved in writing by the Treasurer. The Company may from time to time with the approval of the Treasurer as aforesaid vary the said investments or any of them into or for other or others of the nature hereby authorised. The title deeds documents and securities from time to time representing the said sum of Five thousand pounds shall be deposited with the Treasurer who shall hold the same upon trust for the Company but transferable to the Company only upon the joint consent of the Treasurer and the Company or upon the order of the Court or a Judge. The interest dividends and annual income of the said investments shall belong and be payable to the Company. When and so long as the said sum of Five thousand pounds or such other sum as may hereafter be prescribed and required by law shall remain invested and the securities for the same be deposited as aforesaid the Court may grant letters of administration to the Company without the bond required by law when administration is applied for by private persons provided that the amount of capital to be paid up and the sum to be invested as aforesaid may be hereafter increased as Parliament by any Act to be hereafter passed may prescribe.

for proper administration of estates and no bond to administer to be required when paid-up capital is £6,000 of which £5,000 is invested in Government securities

9. In all cases in which any Court of Justice or any person or persons having power to appoint or approve of a trustee receiver guardian of any lunatic or infant committee in lunacy trustee in bankruptcy or guarantor or surety whether solely or jointly with any person for any person appointed as administrator or as trustee receiver guardian committee in lunacy trustee in bankruptcy or the guardian of an infant or lunatic shall see fit to appoint the Company as trustee or as receiver or as committee or trustee in bankruptcy or guardian of an infant or lunatic or as such guarantor or surety as aforesaid it shall be lawful for the Company to be so appointed and to act until removed from any such office or as such guarantor or surety as aforesaid and to perform and discharge all acts and duties pertaining to the position of trustee receiver committee or trustee in bankruptcy or guardian of an infant or lunatic or as such guarantor or surety as aforesaid and the capital of the Company both paid and unpaid and all other assets of the Company shall be liable for the proper discharge of the duties committed to the Company; and so soon as the paid-up capital of the Company shall amount to Six thousand pounds such liability of the

Company may be appointed trustee, receiver, committee or guardian of estate, &c.

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capital and other assets of the Company shall be deemed sufficient security for the discharge of such duties in place of the bond required from private persons when appointed as receiver committee trustee in bankruptcy guardian guarantor or surety.

Company may act under power of attorney by manager or acting manager, secretary or two directors

10. The Company may act under any power of attorney by which the Company is appointed attorney by any person or by any company or corporation: And all the powers conferred upon the Company by any such power of attorney may be exercised and carried into execution by the manager acting manager secretary or any two of the directors of the Company but in all cases the capital both paid and unpaid and all other assets of the Company shall be liable for the due execution of the powers so conferred upon the Company but this section shall not authorise any person company or corporation to confer any power upon the Company which cannot be legally conferred upon a private person.

Company may be appointed to act temporarily for executor, administrator or trustee

11. Any executor or administrator or trustee may appoint the Company to act as executor administrator or trustee in his stead and the Company if so appointed by deed filed in accordance with any law now or hereafter to be in force providing for the filing of powers of attorney may act within the scope of the authority conferred upon it as effectually as the executor administrator or trustee could have acted and may exercise all discretionary and other powers delegated by the principal as fully as the principal could have exercised them: And after the filing of such power as aforesaid and before the registration of the death of the principal or of the revocation of the authority given by him in accordance with the law now or hereafter to be in force in that behalf every act of the company within the scope of the authority conferred shall in favour of any person who shall deal with the Company *bonâ fide* and without notice of the death of the principal or of his revocation of the authority be valid and effectual notwithstanding the revocation by or death of the principal.

Executors, administrators, trustees, receivers, committees and guardians may, with consent of the Court, appoint Company to discharge duties for them

12. Any executor or administrator acting under any probate or administration whether granted before or after the coming into operation of this Act and any trustee receiver committee or guardian of any infant or lunatic with the consent of the Court may appoint the Company to perform and discharge all the acts and duties of such executor administrator trustee receiver committee or guardian as the case may be and the Company shall have power to perform and discharge all such acts and duties accordingly: and in every such case all the capital both paid and unpaid and all other assets of the Company shall be liable for the proper discharge of such duties and the executor administrator trustee receiver committee or guardian so appointing the Company shall be released from liability in respect of all acts done by or omitted to be done by the Company acting under such appointment.

Company may with consent of the Court be appointed a trustee

13. Any trustee may with the consent of the Court to be obtained in the manner hereinafter mentioned appoint the Company to be trustee in his place. And whenever under any instrument appointing trustees a trustee or other person is authorised to appoint another person as a trustee he may with the consent of the Court to be obtained in the manner hereinafter mentioned appoint the Company

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to be such trustee. In every such case the Company may and shall perform and discharge all the acts and duties and shall be liable to all the obligations pertaining to the office of such trustee and all the capital both paid and unpaid and all other assets of the Company shall be liable for the proper discharge of such duties and the person so appointing the Company shall be released from liability in respect of all acts done by or omitted to be done by the Company acting under such appointment.

14. Every application for such consent as in the two preceding sections mentioned shall be by motion and notice of the intended application shall be advertised three times in one daily newspaper published in Perth seven days before the making thereof and in case of an executor or administrator of a testator or intestate who died in Western Australia a like notice shall also be advertised once in some local newspaper (if any) circulating in the district in which the testator or intestate resided at the time of his death: and the Court may require any person resident in Western Australia and entitled to the immediate receipt of any of the income or *corpus* of the estate in respect of which the application is made to be served with notice thereof and the costs of such application shall be in the discretion of the Court and may be ordered to be paid out of the estate and such consent shall not be given in any case of a will in which the testator has expressed his wish that the trusts thereof shall not be delegated or that the Company shall not act therein.

Application for consent to be by motion

15. In all cases in which the personal attendance of an executor administrator trustee receiver committee trustee in bankruptcy guardian of an infant or lunatic or guarantor or surety as aforesaid is required in a Court of Justice or elsewhere the Company shall be entitled to make such attendance in the person of the manager acting manager or secretary of the Company and the personal duties of executor administrator trustee receiver committee trustee in bankruptcy or guardian or such guarantor or surety as aforesaid may be discharged on behalf of the Company by the manager acting manager or secretary. And in every case where the Company obtains probate or letters of administration and also in every case where the Company is appointed and shall act as trustee receiver committee trustee in bankruptcy or guardian or as such guarantor or surety as aforesaid the manager acting manager or secretary as the case may be and the directors shall be individually and collectively in their own proper persons responsible to the Court and shall in their own proper persons be liable by process of attachment commitment for contempt or by other process to all Courts having jurisdiction in that behalf for the proper discharge of their duties and for obedience to the rules orders and decrees of such Courts in the same manner and to the same extent as if such manager acting manager or secretary as the case may be and directors had personally obtained probate or letters of administration or been appointed trustee receiver committee trustee in bankruptcy or guardian or as such guarantor or surety as aforesaid. But notwithstanding such personal responsibility of the said manager acting manager or secretary as the case may be and directors the capital both paid and unpaid and all the assets of the Company shall remain liable for any pecuniary loss which may be occasioned or which may happen

Manager or acting manager or secretary may attend on behalf of Company and with the directors and manager shall be personally responsible to Court

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through any breach of trust or duty committed by the Company or any of its officers in respect of any office appointment or engagement held or entered upon by the Company.

Company to be paid a commission on moneys received by it

16. The Company shall be entitled to receive in addition to all moneys properly expended by it and chargeable against any estate placed under the administration or management of the Company a commission to be fixed from time to time by the directors of the Company but not to exceed in any case Two pounds ten shillings for every One hundred pounds of the capital value of any estate committed to the administration or management of the Company as executor administrator trustee receiver committee trustee in bankruptcy or guardian or as such guarantor or surety as aforesaid and Five pounds for every One hundred pounds of income received by the Company as executor administrator trustee receiver committee trustee in bankruptcy or guardian or as such guarantor or surety as aforesaid or of capital or income received by the Company as an attorney acting under power of attorney; and such commission shall be payable out of the moneys or property committed to the management of the Company and shall be received and accepted by the Company as a full recompense and remuneration to the Company for acting as such executor administrator trustee receiver committee trustee in bankruptcy or guardian or as such guarantor or surety as aforesaid or attorney and no other charges beyond the said commission and the moneys so expended by the Company shall be made by the Company. But if in any case the Court or a Judge shall be of opinion that such commission is excessive it shall be competent for such Court or Judge to review and reduce the rate of such commission. Provided that the commission to be charged by the Company shall not exceed in each estate the amount of the published scale of charges of the Company at the time when such estate was committed to the Company. Nor shall this enactment prevent the payment of any commission directed by a testator in his will or a settlor in lieu of the commission hereinbefore mentioned.

Company may be removed from office by Court and provisions for relief against company or directors

17. In all cases in which the Company shall be appointed executor administrator trustee receiver committee trustee in bankruptcy or guardian of any infant or lunatic or attorney under power the Company shall in addition to the liabilities and restrictions imposed by this Act be subject in all respects to the same control and liable to removal as a private person who may be appointed executor administrator trustee receiver committee trustee in bankruptcy guardian or attorney is subject to. And all persons who may claim relief against the Company for any act done or assumed to be done or in respect of any act omitted to be done by the Company its directors or officers under any of the powers conferred by this Act may proceed in the Court or in any other Court of competent jurisdiction either by action or other ordinary procedure of such Court or in any summary way by motion against the Company or against any of the directors or officers of the Company and such Court may make and enforce such order in such manner as to such Court shall seem just.

Order for account on application of trustee *cestui que trust*, &c.

18. If any trustee *cestui que trust* executor or legatee administrator or wife husband or next of kin or creditor or infant entitled to or interested in any estate which shall have come (or shall here-

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after come) into the possession or under the control of the Company shall be unable after demand in writing made to the manager acting manager or secretary of the Company to obtain a sufficient account of the property and assets of which such estate shall consist and of the disposal and expenditure thereof or thereout such trustee *cestui que trust* executor or legatee administrator or wife husband or next of kin or infant or creditor shall be entitled to apply to the Court or to any Judge thereof upon motion after notice to the Company but without action or petition for an account; and if the Court or Judge shall be of opinion that no sufficient account has been rendered by the Company the Court or Judge shall order such account to be rendered by the Company as to the Court or Judge shall seem just or if the Court or Judge shall think that no sufficient case has been established to require the Company to furnish an account the Court or Judge may dismiss the application; and the Court or Judge shall have power in all cases to make such order as to costs either against the Company or against the applicant or as to payment of costs out of the estate as to the Court or Judge shall seem right.

19. The Court or a Judge on application under the last preceding section may order in addition to or in substitution for any account to be rendered by the Company that a person to be named in such order shall examine the books and accounts of the Company in reference to the estate as to which the order is made and in that case the Company shall deliver to the person named in such order a list of all books kept by the Company and shall produce to such person at all reasonable times when required the said books and all accounts vouchers papers and other documents of the Company and shall afford to him all necessary information and all other necessary facilities for enabling him to make the said examination. And the Court or Judge shall have the same power as to the costs of such examination as is given by the last preceding section in reference to costs of or occasioned by the application under that section.

Supreme Court or Judge may order audit in any estate committed to Company

20. So long as any estate in respect of which the Company is executor administrator trustee receiver committee trustee in bankruptcy or guardian shall remain in whole or in part unadministered it shall not be lawful to proceed to wind up the Company voluntarily unless with the sanction of the Court or a Judge; and any person interested in such estate or who may have any claim in respect thereof may apply to the Court or to a Judge in a summary way by motion to restrain any director or any shareholder from disposing of any share which such director or shareholder may hold in the Company or to restrain the winding up voluntarily of the Company and the Court or Judge shall in any and every such case have power to make such order in the matter as the circumstances of each case shall appear to such Court or Judge to require.

Voluntary winding up of Company or disposal of shares may be restrained by Supreme Court or Judge

21. The following provisions with respect to the liability of shareholders in the Company shall be and remain in force notwithstanding any alteration which may be made in its articles of association :—

Liability of shareholders and directors

- (a) No member shall hold more than One thousand shares in his own right: Provided that if the capital of the Company shall be increased by the issue of new shares

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- the number of shares which may be held by each member shall be proportionately increased;
- (b) No more than One pound per share shall be called up except in the event of and for the purpose of the winding up or dissolution of the Company and every member shall in such event be liable to contribute the unpaid balance of every share held by him;
- (c) In such event every person who has been a director of the Company at any time within the period of Two years preceding the commencement of the winding up shall be liable for the balance unpaid on every share which he may have transferred during such Two years in addition to his liability upon any shares held by him at the commencement of the winding up in the event of the holder of such shares being unable to pay the said balance in full;
- (d) The capital of the Company shall be and remain divided into shares of Two pounds ten shillings each and the number of shares in the Company shall not be at any time reduced to less than Twenty thousand and no share shall be held by or transferred to a married woman or a minor.

Moneys remain-
ing unclaimed
for five years to
be paid to
Treasurer

22. All moneys which form part of any estate of which at any time the Company shall be executor administrator trustee receiver committee trustee in bankruptcy or guardian and which moneys shall remain unclaimed by the person entitled to the same for a period of five years after the time when the same shall have become payable to such person except where payment has been or shall be restrained by the injunction of some Court of competent jurisdiction shall be paid by the Company to the Treasurer to be placed to the credit of a fund to be called the 'Testamentary and Trust Fund' distinguishing the particular estates in respect of which such moneys shall have been paid and such moneys shall bear interest at the rate of Three pounds per centum per annum until invested as herein directed; and it shall be lawful for the Treasurer from time to time to invest such moneys in the purchase of Government debentures or stock to be placed to the credit of the said 'Testamentary and Trust Fund' distinguishing in the ledger the particular estate in respect of which such moneys have been invested. And the interest payable on such debentures or stock shall be placed to the credit of the said fund and the Treasurer's said account in the ledger shall be an official and not a nominal account and in all transfers of the said debentures and stock by the Treasurer he shall be so styled without any name addition or description and he shall not sign any such transfers or pay over any of the moneys standing to the credit of the said fund unless an order of the Court or a Judge directing such transfer and specifying the amount of money debentures or stock and the name description and addition of the person to whom it is to be transferred and paid or an order of such Court or Judge directing a sale of such debentures or stock and specifying the amount of money to be raised by such sale and the name description and addition of the person to whom the proceeds of such sale are to be paid shall be left at the office of the

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Treasurer nor in this latter case until he has received the purchase money of the debentures or stock to be sold. And the Company shall at the end of every six months deliver to the Treasurer a statement of all such unclaimed moneys which during the preceding six months shall have been in its hands and distinguishing the several estates in respect of which the same have been received and setting out the dates and amounts of the several payments of the same under this section and if the said moneys or any part thereof have not been paid to the Treasurer as aforesaid stating the reason for the delay of such payments. If default is made in compliance with the foregoing provision of this section the Company shall be liable to a penalty not exceeding Five pounds for every day while such default continues and every director manager or acting manager of the Company who knowingly and wilfully authorises or permits such default shall incur the like penalty.

Statement of un-claimed moneys to be furnished to the Treasurer

Penalty

23. Any person who shall be entitled to any stock debentures or moneys which shall at any time form part of the said 'Testamentary and Trust Fund' shall be entitled to apply to the Court or a Judge upon a petition in a summary way without action for such order as in the last preceding section referred to; and service of such petition shall be made upon such persons as the Court shall direct; and every order made upon any such petition shall have the same authority and effect and shall be enforced and subject to rehearing and appeal in the same manner as if the same had been made in a suit regularly instituted in the Court; and if it shall appear to the Court expedient so to do the Court may direct any action or suit to be instituted for the purpose of determining any questions arising upon such petition as the Court may think fit. No person shall be entitled to make any such application after the expiration of Six years from the time when such moneys were paid to the Treasurer as aforesaid but no time during which the person entitled to make such application shall have been an infant or *feme covert* or of unsound mind or beyond seas shall be taken into account in estimating the said period of Six years. And in all cases in which the Treasurer may see fit to appear upon such petition he shall be entitled to such costs against the applicant or out of the fund as the Court or Judge may direct.

Persons entitled to moneys in 'Testamentary and Trust Fund' may apply to the Supreme Court or Judge within six years

24. If the Treasurer shall be unable after demand in writing to the manager acting manager or secretary of the Company to obtain a sufficient account of the property and assets of which any or every estate included in or which ought to be or to have been included in the hereinbefore mentioned statement of unclaimed moneys shall consist and of the disposal and expenditure thereof or thereout the Treasurer shall be entitled to apply to the Court or a Judge upon motion after notice to the Company but without action or petition for an account and if the Court or Judge shall be of opinion that no sufficient account has been rendered by the Company the Court or Judge shall order such account to be rendered by the Company as to the Court or Judge shall seem just or if the Court or Judge shall think that no sufficient case has been established to require the Company to furnish an account the Court or Judge may dismiss the application and the Court or Judge shall have power in all cases to make such order as to costs either against the Company or against the applicant or as to payment of costs out of the estate as to the Court or Judge shall seem right.

Order for account on application of Treasurer

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Returns to be made by Company

25. The manager acting manager or secretary of the Company shall during the months of June and December in every year during which the Company carries on business make before some Justice a declaration in the form contained in the Schedule hereto or as near thereto as circumstances will admit and a copy of such declaration shall be put up in a conspicuous place in the registered office of the Company and in every branch office or place where the business of the Company is carried on and shall be given to any member or creditor of the Company who applies for the same. If default is made in compliance with the provisions of this section the Company shall be liable to a penalty not exceeding Five pounds for every day while such default continues and every director manager or secretary of the Company (as the case may be) who knowingly and wilfully authorises or permits such default shall incur the like penalty.

Act not to preclude other companies from applying for similar powers to those conferred by this Act

26. Nothing in this Act contained shall be deemed to give to the Company any *locus standi* to oppose the granting of similar powers to those conferred upon the Company by this Act to any other company or to corporations generally or to claim or to seek compensation in consequence of such powers being conferred upon any other company or upon corporations generally.

Testators and settlors may appoint their own solicitors

27. Where by any will or settlement a testator or settlor shall direct that any practising solicitor shall conduct the legal business of his estate such solicitor shall be entitled to act therein accordingly; but in such case the Company shall not be liable for the negligence *mis-feasance non-feasance* or misconduct of such solicitor and such solicitor may be removed by order of the Court or a Judge upon the application of the Company or of any person interested in the said estate upon cause shown and then and in such case the Court or Judge may appoint the solicitor of the Company to conduct such legal business.

Trusts of sum of Five thousand pounds

28. The sum of Five thousand pounds or such other sum as may be hereafter prescribed to be invested as hereinbefore provided shall be held by the Treasurer as a security for the due performance by the Company of the duties of the offices of executor and administrator under any grant obtained in pursuance of this Act and shall in the event of the winding up of the Company be applied in satisfaction *pari passu* of any claims established by any persons entitled as beneficiaries under any probate or letters of administration granted to the Company in priority to all other creditors of the Company; and in addition to the said security the persons so entitled shall be at liberty to rank as ordinary creditors of the Company for any balance if the said sum of Five thousand pounds or such other sum as aforesaid shall be insufficient to satisfy the claims so established.

Incorporation and powers of Company except as far as specifically altered to remain

29. Excepting so far as is herein expressly provided the Company shall have the same powers and privileges and be subject to the same restrictions liabilities and penalties as it is subject to under its present incorporation and this Act shall not otherwise affect the incorporation of the Company.

Short title of Act

30. This Act shall be called and may be cited as 'The West Australian Trustee Executor and Agency Company Limited Act.'

W. C. F. ROBINSON,
GOVERNOR.

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SCHEDULE

[REFERRED TO IN SECTION 25]

*'The West Australian Trustee Executor and Agency
Company Limited'*

I, [manager, secretary, or as the case may be] do solemnly and sincerely
declare:—

That the liability of the members is limited.

That the capital of the Company is £ divided into
shares of £2 10s. each.

That the number of shares issued is

That calls to the amount of per share have been
made under which the sum of £ has been received.

That the liabilities of the Company on the last day of
last were—

Debts owing to sundry persons by the Company, viz.:—

On Judgment £

On Specialty £

On notes or bills £

On simple contracts £

On estimated liabilities £

That the assets of the Company on that day were—

Government securities £

Bills of Exchange and Promissory Notes £

Cash at Bankers £

Other securities £

And I make this solemn declaration conscientiously believing the same to
be true and by virtue of the provisions of an Ordinance made and passed in the
18th year of the reign of Her present Majesty, No. 12, intituled 'An Ordinance
for the abolition of unnecessary oaths and to substitute declarations in lieu
thereof.'