

WESTERN AUSTRALIA

ANNO TRIGESIMO SEPTIMO

VICTORIÆ REGINÆ

No. 17

An Act to make Provision for the Sale of certain Lands
heretofore vested in the Treasurer of the Pensioners'
Benevolent Society. [*Assented to 2nd August, 1873.*]

Preamble

WHEREAS by an Ordinance 27 Victoria, No. 18, the whole legal
and equitable estate, right and title in and to any lands,
hereditaments and premises belonging to the Pensioners' Benevolent

Pensioners' Benevolent Society

Society was vested in the Treasurer of the said Society, and it was by the said Ordinance further provided that when and so often as the said Treasurer for the time being and any succeeding Treasurer should cease to hold such office. the said lands, tenements and hereditaments so vested in such Treasurer as aforesaid should be absolutely divested out of such Treasurer so ceasing to hold such office as aforesaid, and should by virtue of the said Ordinance be transferred to and vested in his successor in the said office immediately on his entry in the said office : And whereas the last Treasurer ceased to hold such office, and the said Ordinance was then by 35 Victoria, No. 18, repealed before any successor had been appointed to the said last Treasurer, and no successor has ever been appointed to such last Treasurer ; and whereas the said last Treasurer at the time of his ceasing to hold such office as aforesaid was seised of certain lands, tenements and hereditaments under the said Ordinance, some of which the said Treasurer had contracted to sell ; and whereas such of the said lands, tenements and hereditaments as the said Treasurer had not contracted to sell as aforesaid have since been sold without legal right or power to do so by the said society, and with respect to all such lands, tenements and hereditaments there is not by reason of the premises any person competent to make a legal conveyance of the same ; and whereas it is expedient to give to the Governor power to appoint some person, who by virtue of this Act shall for the purpose of carrying out and completing all the aforesaid contracts of sale made and entered into by the said last Treasurer and all such contracts made by the said society since the death of the said last Treasurer as may appear to him to be just and equitable be deemed to be the successor of the said last Treasurer as if the said Ordinance 27 Victoria, No. 18, had not been repealed : Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows :—

1. It shall be lawful for the Governor by writing under his hand to appoint some fit and proper person to be the successor to the last Treasurer in the office of Treasurer to the said society ; and for the purpose of enabling such person to carry out and complete the contracts aforesaid all legal and equitable right, title and interest of and in all lands, tenements and hereditaments vested in the said last Treasurer by virtue of the said Ordinance shall immediately on such appointment vest in the person so appointed as if the said Ordinance had not been repealed.

Power to Governor to appoint some person to succeed to the last Treasurer in whom the lands are to vest for the purpose of making conveyances of the same

2. The person so appointed shall nevertheless not be compellable to execute any conveyance or to carry out any such contract as aforesaid unless the person desiring the execution of such conveyance or the carrying out of any such contract shall pay or give satisfactory security for the payment of all the legal and other expenses incurred or to be incurred by the person so appointed in connection therewith.

Such person not to be compellable to make conveyances unless all expenses are paid by persons wishing for the same

FRED. A. WELD,
GOVERNOR.