

No. LIII.

An Act to amend the Act regulating Friendly Societies in New South Wales. [Assented to, 17th June, 1848.]

WHEREAS it is expedient to amend an Act passed by the Governor and Legislative Council of New South Wales, in the seventh year of the reign of Her present Majesty Queen Victoria, intituled, "*An Act to regulate Friendly Societies in the Colony of New South Wales,*" in so far as relates to the investment of the funds of such Societies; Be it enacted, by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That from and after the passing of this Act, it shall and may be lawful for the Treasurer, Trustee, or Trustees, for the time being, of any Friendly Society, formed under the authority of the said recited Act, to invest any surplus funds of any such Society, with the consent, and in accordance with the general rules thereof, either in Government or Corporate securities, or on the security of real or landed property, in the name of such Treasurer, Trustee, or Trustees; and from time to time, with such consent, and in accordance with such rules as aforesaid, to withdraw from such investment any funds which may be required to meet any proper demands upon any such Society; and that all interest and proceeds which shall from time to time arise from the moneys so invested as aforesaid, shall be accounted for and applied as in and by the said recited Act is in that behalf provided.

Preamble.

7 Vict., No. 10.

Treasurer or Trustees may invest surplus funds in Savings' Banks, or Government or Corporate securities, or on the security of real or landed property, and may withdraw the same.

CHARLES NICHOLSON,

Speaker.

Passed the Legislative Council, this second day of June, one thousand eight hundred and forty-eight. } *In the name and on the behalf of Her Majesty, I assent to this Act.*

W^M. MACPHERSON,

CLERK OF THE COUNCIL.

CH^S. A. FITZ ROY,

GOVERNOR.

Govt. House, Sydney, 17th June, 1848.

No. LIV.

An Act to remove doubts concerning the validity of certain Grants of Land in the City of Sydney. [Assented to, 17th June, 1848.]

WHEREAS by a Proclamation bearing date the eighth day of June, one thousand eight hundred and twenty-nine, made and published by His Excellency Lieutenant-General Ralph Darling, then Captain-General and Governor-in-Chief of the Colony of New South Wales, reciting that much inconvenience had been occasioned by the want of sufficient Titles for Allotments of Land in the Town of Sydney, and that such Titles had not been issued by the Government, except in a few instances, since the thirtieth day of June, one thousand eight hundred and twenty-three, in order to remedy the said inconvenience and to give the necessary security to private property, it was thereby ordained and proclaimed that, on application being made, a Grant in fee simple should be issued under the conditions in the said Proclamation specified to every person, or his lawful representative, who, on or before the said thirtieth day of June, one thousand eight hundred and twenty-three, was *bona fide* in possession by Lease from the Government, whether such Lease was then expired or not, or by mere right of occupancy, of any Allotment of Land in the Town of Sydney, which had not theretofore been alienated by the Crown, and not specified in a certain order of the Government bearing even date with the said Proclamation, Number thirty, or otherwise notified theretofore as being required for public purposes, reserving, however, and keeping harmless all rights of other private individuals which might

Preamble.

Recital of Proclamation, 8th day of June, 1820.

might be lawfully established at any time thereafter: And whereas since the issuing of the said Proclamation, Grants in fee simple of Allotments of Land in Sydney, which had been before leased by the Government, have, from time to time, been made and issued to divers persons claiming the said Land under the terms and conditions set forth in the said Proclamation: And whereas at the time of the making and issuing of divers of the said Grants, Leases of the said Lands which had been issued by the Government were unexpired, and the said Leases were not surrendered, nor cancelled, nor recited, nor mentioned in the said Grants: And whereas doubts, have been entertained whether such Grants or Conveyances made and issued as aforesaid, are valid in the Law, and it is expedient that such doubts should be removed: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That all Grants made and issued after the date and publication of the said Proclamation, by or in the name of the Governor, or person administering the Government of the said Colony for the time being, or in the name of Her Majesty's Predecessors, King George the Fourth, or King William the Fourth, or by or in the name of Her present Majesty Queen Victoria, of any Lands situated in Sydney, and notwithstanding that the Leases which had been issued of the same Lands were at the time of the making and issuing of such Grants unexpired, and that such Leases were not recited in the said Grants, shall be, and shall be deemed, taken and held to be, and to have been from the respective dates thereof, as valid and effectual in the Law to grant and convey such Lands to all intents and purposes as if such Leases had been surrendered, cancelled, or recited, and set forth in the said Grants, any thing in any Act, Law, Custom, or Usage to the contrary notwithstanding.

Grants issued in the name of the Governor, for the time being, or of Her Majesty's Predecessors King George IV., or King William IV., or in the name of Her present Majesty Queen Victoria, to be valid.

As to lands erroneously granted.

II. Provided always, and be it enacted, That nothing in this Act contained shall be deemed or taken to affect or prejudice the rights of any person or persons to any lands or hereditaments which shall have been or shall be erroneously or wrongfully granted to any Grantee thereof, contrary to the true intent and meaning of the said Proclamation, anything in any such Grant, or in this Act, to the contrary notwithstanding.

CHARLES NICHOLSON,

Speaker.

Passed the Legislative Council, this ninth day of June, one thousand eight hundred and forty-eight. } *In the name and on the behalf of Her Majesty, I assent to this Act.*

WM. MACPHERSON,

CLERK OF THE COUNCIL.

CH^s. A. FITZ ROY,

GOVERNOR.

Govt. House, Sydney, 17th June, 1848.

No. LV.

An Act to substitute in respect of Female offenders, other punishments in lieu of Transportation beyond seas. [Assented to, 17th June, 1848.]

Preamble.

11 Victoria, No. 34.

WHEREAS impediments have arisen to the carrying into execution of sentences to transportation beyond seas, passed within the Colony of New South Wales, and in consequence whereof, provision has been made for the substitution of other punishments of male offenders in lieu of actual transportation, and it is expedient to make provision also, for such substitution in the case of female offenders: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That when any female offender may now be under conviction, or shall hereafter be convicted in any Court of competent jurisdiction in New South Wales,