CHAPTER xii.

An Act for granting additional powers to the Van Diemen's Land Company. A.D. 1916.

[19th July 1916.]

WHEREAS the Van Diemen's Land Company (hereinafter called "the Company") was incorporated by the royal charter or letters patent bearing date the tenth day of November one thousand eight hundred and twenty-five set forth in the First Schedule to this Act (hereinafter called "the charter") and granted under or by virtue of an Act passed in the same year "For granting certain powers and authorities to a Company " to be incorporated by Charter to be called 'the Van Diemen's " Land Company' for the cultivation and improvement of waste " land in His Majesty's Island of Van Diemen's Land and for " other purposes relating thereto":

And whereas the charter has been modified by the royal grant set forth in the Second Schedule to this Act and made pursuant to an Act passed in the year one thousand eight hundred and forty-seven:

And whereas the objects or purposes for which the Company is by the charter declared to be established include the cultivation of waste lands in the island of Van Diemen's Land (now known as Tasmania) and in any islands or territories which might at any future time be made dependent thereupon the holding and disposal of lands tenements and hereditaments being within the said island and dependencies and granted to it by His late Majesty King George IV. His heirs or successors or acquired by it under the powers of the charter making loans or advances to settlers and others resident within the said island and dependencies upon the security of lands hereditaments or tenements situate therein lending money to persons resident and

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being in the said island or dependencies on the security of bonds or judgments contracting for and executing public works in the said island and dependencies advancing moneys on the security of tolls and other public taxes which might be levied or payable therein making loans to persons engaged in whale or seal fisheries upon or in the neighbourhood of the coast and subject to the restrictions in the charter mentioned the acquisition of houses wharves and other buildings lands and hereditaments within the said island and dependencies:

And whereas the amounts which the Company may so lend or advance are by the charter limited to amounts which have by reason of the development of the said island and dependencies and the growth of the business of the Company become inadequate:

And whereas by the charter provision is made for the enrolment in the Supreme Court of Van Diemen's Land (now the Supreme Court of Tasmania) of a memorial of every loan to settlers or others resident within the said island and its dependencies made by the Company upon the security of lands tenements or hereditaments situate in the said island and its dependencies and that (save as regards advances by the Company to persons settling on lands granted to the Company or purchased or acquired by it) no lands tenements or hereditaments shall be conveyed to or in trust for the Company by way of security for payment of any sum or sums of money in such manner or form as to enable the Company upon default of payment thereof to proceed to an absolute foreclosure of such lands but that all such last-mentioned securities for money shall be in the nature and form of conveyances in trust to sell the lands tenements and hereditaments therein comprised in default of payment of the sum or sums of money by any such conveyance or conveyances secured and made payable and that all such sums of money shall be made payable by instalments and not otherwise:

And whereas the said limitations and restrictions are not in conformity with modern law and practice in relation to such matters and tend to hamper the development of the lands and undertaking of the Company and it is expedient that the same should be removed:

And whereas it is expedient that the Company should have a more extended scope for the investment of its moneys and

that in various respects the objects of the Company should be extended and its powers enlarged: A.D. 1916.

And whereas further Acts were passed in the years 1863 and 1877 regulating the proceedings of and granting further powers to the Company:

And whereas by the charter the capital of the Company was fixed at one million pounds in shares of one hundred pounds each:

And whereas as appears by the said Act passed in the year 1863 and the schedule thereto there were existing at the date of the passing thereof eight thousand eight hundred and eighty-four shares in the capital of the Company on each of which shares twenty-eight pounds and ten shillings had been paid up and by the said Act the capital of the Company was reduced to three hundred thousand pounds divided into ten thousand shares of thirty pounds each and it was provided that every holder of a share in such capital was to be deemed a holder of a share of thirty pounds with twenty-eight pounds ten shillings paid up thereon and was not to be liable for future calls beyond the sum of one pound and ten shillings on any such share:

And whereas prior to the month of October one thousand eight hundred and seventy-five one hundred and sixteen further shares of thirty pounds each were issued and the sum of twenty-eight pounds ten shillings paid up on each of such shares making the issued capital of the Company up to nine thousand shares:

And whereas in the month of October one thousand eight hundred and seventy-five the Company made a call of one pound ten shillings per share being the balance remaining unpaid on each of the said nine thousand shares:

And whereas since the passing of the said Act of 1877 the Company has issued a further thousand shares all of which were fully paid up and under and by virtue of powers vested in the Company by the said last-mentioned Act the Company has from time to time made to the members of the Company certain payments by way of return of capital and the present capital of the Company now consists of ten thousand shares each of twenty-two pounds all of which are fully paid up:

And whereas by the said Act of 1877 the whole debt of the Company on mortgage or debentures is not at any time to

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exceed the sum of two hundred thousand pounds but there are now no debentures or mortgages of the Company outstanding:

And whereas the assets of the Company now exceed its liabilities and the Company will from time to time receive sums of money from the sale of its lands and it is expedient that the nominal capital of the Company should be increased as provided by this Act and that powers should be conferred upon the Company to apply capital moneys in the redemption of its subscribed capital and otherwise to reduce its capital and also to increase or otherwise alter the same and that the existing share capital of the Company should be divided into two classes of shares one of which (in this Act called "A" shares) should be entitled to dividend and the other of which (in this Act called "B" shares) should not be entitled to dividend but should be redeemable as in this Act provided:

And whereas it is expedient that the other provisions in this Act should be made:

And whereas the objects hereinbefore set forth cannot be effected without the authority of Parliament:

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 as follows (that is to say):—

Short and collective titles.

1. This Act may be cited as the Van Diemen's Land Company's Act 1916 and the Company's said Acts of 1825 and 1847 the Van Diemen's Land Company's Act 1863 the Van Diemen's Land Company's Act 1877 and this Act may be cited collectively as the Van Diemen's Land Company's Acts 1825 to 1916 and any of those Acts hereinafter referred to separately is referred to as the Act of the year in which the same was passed.

Interpretation.

2. In this Act unless there be something in the subject or context repugnant to such construction—

The expression "the Company" means the Van Diemen's Land Company;

The expression "the directors" means the directors for the time being of the Company;

The expression "the charter" means the royal charter or letters patent set forth in the First Schedule to this Act;

The expression "special resolution" means—

(A) A resolution passed by a majority of not less than three fourths of the members of the Company present in person or by proxy and entitled to vote at a special general meeting of the Company and confirmed by a majority of the members of the Company present in person or by proxy and entitled to vote at a subsequent special general meeting held after an interval of not less than twenty-one nor more than sixty days from the date of the first meeting; or

(B) In any case where under this Act a resolution is to be passed by the proprietors of any class of shares in the capital of the Company a resolution passed by a majority of not less than three fourths of the proprietors of shares of such class present in person or by proxy and entitled to vote at a meeting of proprietors of shares of such class called in the same manner and with the same formalities so far as applicable as a special general meeting of the Company and confirmed by a majority of proprietors of shares of such class present in person or by proxy and entitled to vote at a subsequent meeting similarly called and held after an interval of not less than twenty-one nor more than sixty days from the date of the first meeting.

Additional objects of Company.

3. The following shall be powers and objects of the Company in addition to those provided for by the charter:—

(A) From time to time to acquire by purchase licence lease underlease assignment or otherwise and to hold and to dispose of and turn to account by sale licence lease underlease assignment or otherwise or to exchange any lands in Tasmania or its dependencies granted to the Company by the said royal grant set forth in the Second Schedule to this Act or acquired by the Company under the charter and any easements rights profits and interests in any such lands and to pay reserve or accept any rent royalty or other consideration in respect of any such acquisition disposal turning to account or exchange:

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(B) To enjoy and work and stock and make merchantable and sell the produce of and otherwise utilise all such property lands easements rights profits and interests as aforesaid and to conduct all such developing trading carrying and other operations as from time to time seem to the Company requisite or expedient:

(C) To invest any moneys of the Company in such manner as may be thought fit and to lend or advance moneys on the security of mortgages bonds judgments tolls or public taxes or otherwise to such persons and to such extent and on such terms as may be thought fit and particularly to customers of and other persons having dealings with the Company and to settlers and others resident within and to persons engaged in the whale or seal fisheries upon or in the neighbourhood of the coast of the said island and dependencies:

(D) To allot any shares stock debentures debenture stock or other securities of the Company either credited or not credited as fully or partly paid up as the whole or part of the purchase price for any property acquired by the Company or for services rendered or other valuable consideration:

(E) To acquire and hold interests in any company corporation or society carrying on business in the said island and dependencies altogether or in part similar to that of the Company and to sell surrender or otherwise deal with all or any of such interests:

(F) To amalgamate with the undertaking of the Company the undertaking of any corporation society or company (not being a corporation society or company incorporated by statute or royal charter) whose business is similar to business within the powers and objects of the Company.

The charter and the Van Diemen's Land Company's Acts 1825 to 1916 shall have effect as if the powers and objects aforesaid had been expressed to be powers and objects of the Company in the charter and as if the Company had been by the charter authorised to apply any portion of its capital in or for the purposes of such powers and objects and from and after any

such amalgamation as is mentioned in this section the business so amalgamated shall be deemed to be part of the business of the Company and the charter and the Van Diemen's Land Company's Acts 1825 to 1916 shall extend and apply accordingly.

As to mortgage securities.

4.—(1) From and after the passing of this Act it shall be lawful for the Company to lend any sum or sums of money on the security of lands tenements or hereditaments in Tasmania and its dependencies or for such lands tenements and hereditaments to be conveyed to or in trust for the Company by way of security for payment of any sum or sums of money in such form and in such manner as that such sum or sums of money shall become due and payable at such time or times and by instalments or otherwise as may be provided by the mortgage security relating thereto and so that upon default of payment the Company may proceed to an absolute foreclosure of the lands tenements or hereditaments comprised in any such mortgage security.

(2) The provision of the charter requiring the enrolment in the Supreme Court of Van Diemen's Land of a memorial of every loan made by the Company to settlers and other residents within the island of Van Diemen's Land and its dependencies upon the security of any lands tenements and hereditaments therein situate is hereby repealed.

Conversion of capital.

5.—(1) Subject to the provisions of this Act the directors may by resolution declare that the capital of the Company shall be five hundred and twenty thousand pounds divided into two hundred and twenty thousand shares of one pound each to be called "A" shares and ten thousand shares of thirty pounds each to be called "B" shares (in this Act respectively referred to as "A" shares and "B" shares) all of which shares shall be credited for all purposes as fully paid up and such alteration of capital shall be effected by the conversion of each of the existing shares of twenty-two pounds into twenty-two "A" shares and one "B" share Such conversion shall take effect on such date as may be declared by such resolution which date is in this Act called "the date of conversion of capital" Provided always that no such resolution shall be passed during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained to the conversion of capital by this section authorised.

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(2) The "A" and "B" shares shall belong to and be vested in the several persons who shall respectively on the date of conversion of capital be proprietors of the existing shares of twenty-two pounds each from which the "A" shares and "B" shares are respectively derived in the proportion of twenty-two "A" shares and one "B" share for each such existing share.

(3) The Company shall as soon as conveniently may be after the date of conversion of capital call in and the proprietors thereof shall surrender and the Company shall cancel the certificates for the existing shares in the capital of the Company for which the "A" and "B" shares are substituted under the provisions of this Act and the Company shall issue in lieu thereof free of charge certificates for the "A" and "B" shares to which the proprietors of such existing shares shall be by this Act respectively entitled.

(4) No proprietor of any existing share in the capital of the Company shall be entitled to any certificate of proprietorship under this Act until he shall have delivered up to the Company to be cancelled the existing certificate or certificates of proprietorship of shares in the capital of the Company held by him or shall have proved to the reasonable satisfaction of the directors the loss or destruction thereof and shall have given such guarantee or indemnity in respect thereof as the directors may require and the Company may retain any dividend declared or made payable upon or in respect of the shares substituted under the provisions of this Act for any share so held by him until such existing certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the directors to have been lost or destroyed and a guarantee or indemnity is given against any claim in respect of such lost or destroyed certificate or certificates to the satisfaction of the directors.

(5) The terms and conditions on which the "A" and "B" shares respectively are issued shall be stated on the certificates issued in respect thereof.

"A" and "B" shares to be held on same trusts &c. as existing shares.

6. Subject to the provisions of this Act the "A" and "B" shares shall be held in the same rights on the same trusts and subject to the same powers provisions charges notices and liabilities as those in on or to which the existing shares in the

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capital of the Company in substitution for which the "A" and "B" shares are issued were held immediately before their conversion and so as to give effect to and not to revoke any deed will or other instrument or disposition of or affecting such existing shares and from and after the date of conversion of capital every such deed will instrument or disposition affecting such existing shares shall take effect with reference to the whole or any proportionate part as the case may be of the "A" and "B" shares substituted therefor under the provisions of this Act.

Trustees executors &c. to accept "A" and "B" shares.

7. Trustees executors and all other proprietors in any representative or fiduciary capacity of any of the existing shares in the capital of the Company may and shall accept the "A" and "B" shares issued in substitution therefor under this Act or any certificate issued thereunder in respect of any such "A" and "B" shares and may hold dispose of or otherwise deal with such substituted shares in all respects as they might have held disposed of or otherwise dealt with the existing shares for which they are substituted and all such persons are hereby indemnified against all liabilities in respect of any acts bonâ fide done by them in pursuance of the provisions of this Act.

Rights of holders of "A" and "B" shares.

8.—(1) Subject to the provisions of this Act as from the date of conversion of capital the proprietors of "A" shares issued under this Act shall be entitled to participate in the whole of the profits of the Company which the directors may from time to time declare to be available for dividend according to the amount of their respective interests in such shares and such interests shall in proportion to the number of such shares confer on the respective proprietors thereof the same advantages qualifications privileges provisions forfeitures and liabilities as would have been conferred by the existing shares for which such "A" shares are substituted.

(2) The proprietors of "B" shares in respect of their holdings in such shares—

(i) Shall not be entitled to participate in the profits of the Company by way of dividend:

(ii) Shall not be deemed to be members of the Company for the purpose of signing a requisition to the directors to call a special general meeting:

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(iii) Shall only be entitled to vote at any separate meeting of such proprietors held for the purpose of passing a special resolution authorising the borrowing of money on mortgage or debentures.

Voting rights.

9.—(1) At all general meetings of the Company held after the date of conversion of capital every proprietor of "A" shares shall have one vote for each such share which he shall hold and possess at the time of such meeting and shall have held or possessed for the space of at least one month next before the date of such meeting but for the purposes of voting at any general meeting held less than one month after the date of conversion of capital any existing share for which "A" shares have been substituted under the provisions of this Act shall be deemed to have been such "A" shares until the date of conversion of capital.

(2) Subject to the provisions of this Act at every meeting at which the proprietors of "B" shares are by this Act entitled as such proprietors to vote every such proprietor shall have one vote for each such share which he shall hold and possess at the time of such meeting and shall have held and possessed for the space of at least one month next before the date of such meeting but for the purposes of voting at any such meeting held less than one month after the date of conversion of capital any existing share for which any "B" share has been substituted under the provisions of this Act shall be deemed to have been such "B" share until the date of conversion of capital.

Share warrants to bearer in respect of "B" shares.

10. The Company may with respect to any fully-paid "B" share issued under the powers of this Act and subject to such regulations as may from time to time be made by the Company and on application in writing signed by the person registered as the proprietor of the "B" share authenticated by such evidence (if any) as the directors may require as to the identity of the person signing the application and on receiving the certificate (if any) of the "B" share and the amount of stamp duty on the warrant together with a fee of two shillings and sixpence for each warrant issue under the seal of the Company a share warrant to bearer duly stamped stating that the bearer of the warrant is entitled to the "B" shares therein specified.

The holder of a share warrant to bearer shall on surrender of the warrant to the Company for cancellation and on payment

of a fee of two shillings and sixpence be entitled to have his name entered as a proprietor in the register of proprietors in respect of the "B" shares included in the warrant.

The terms and conditions on which any such share warrants are issued shall be stated on each such share warrant.

Effect of share warrants.

11. A share warrant to bearer issued under the powers of this Act shall entitle the bearer thereof to the shares therein specified and such shares may be transferred by delivery of the warrant.

Entries in register on issue of share warrants.

12. On the issue of a share warrant to bearer in respect of any "B" share the Company instead of making in the register of proprietors or proprietors' address book with reference to such share the entries provided for by the Act of 1825 or by any other Act or Acts relating to the Company shall enter in the register the following particulars:—

(i) The fact of the issue of the share warrant to bearer:

(ii) A statement of the share or shares included in the warrant distinguishing each share by its number:

(iii) The date of the issue of the warrant.

The provisions of the charter and of the Act of 1825 and of any other Act or Acts relating to the Company as to the register or book of proprietors of shares as to the shareholders' address book as to certificates of shares and as to transfer and transmission of shares shall not apply in the case of a share warrant to bearer.

On what conditions holders of share warrants may vote.

13. No person shall as holder of a share warrant to bearer be entitled to attend or vote or exercise in respect thereof any of the rights of a proprietor of a "B" share at any meeting at which such proprietor is entitled to vote as such unless seven days at least before the date appointed for the meeting he shall have deposited the share warrant to bearer at the office of the Company or such other place as the directors appoint together with a statement in writing of his name and address and a statutory declaration that he has held and possessed the shares specified in such warrant for at least so much of one month next before the date of the meeting as has expired at the date of the declaration and unless the share warrant to bearer shall remain so deposited until after the

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meeting or any adjournment thereof has been held The names of more persons than one as proprietor of a share warrant to bearer shall not be received.

Certificates of deposit of share warrants.

14. There shall be delivered to the person so depositing a share warrant to bearer prior to any meeting at which such proprietor is entitled to vote as such a certificate stating his name and address and the amount of shares represented by the share warrant to bearer so deposited by him and such certificate shall entitle him to attend and vote personally but not by proxy at such meeting or any adjournment thereof in the same way as if he were a registered proprietor of "B" shares in respect of the shares specified therein and upon such person delivering up the certificate to the Company the share warrant to bearer in respect whereof it was given shall be returned to him.

Share warrants to be produced.

15. No person as holder of any share warrant to bearer shall be entitled to exercise any of the rights of a proprietor of "B" shares (save as hereinbefore expressly provided in respect of meetings) without producing the warrant and stating his name and address.

As to notices to holders of share warrants.

16. Any notice or intimation required to be given to shareholders of the Company under the provisions of the charter or the Van Diemen's Land Company's Acts 1825 to 1916 or any other Act relating to the Company may in the case of any holders of share warrants to bearer be given by advertisement in the manner prescribed by the charter for advertisement of special general meetings of the Company.

As to joint holders of share warrants.

17. If several persons be or claim to be jointly entitled to the shares specified in a share warrant to bearer then as between the Company on the one hand and such persons on the other hand—

(A) One only of such persons shall be deemed the sole proprietor of such shares; and

(B) In case of any disputes between such persons such one of them as shall be the actual holder of the share warrant to bearer shall be deemed such sole proprietor.

Redemption of "B" shares.

18.—(1) The directors shall set aside and appropriate seventy-five per centum or such greater amount as the directors

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may from time to time determine of all moneys received by the Company after the date of conversion of capital and being the net proceeds of any lands sold or disposed of by the Company and may also set aside and appropriate any capital moneys received by the Company between the passing of this Act and the date of conversion of capital and being the net proceeds of any lands sold and disposed of by the Company and may invest all amounts so set aside and appropriated in any investments in which trustees are authorised by law to invest money or in such other investments as may be authorised by a resolution of a general meeting of the Company and the dividends or interest accruing from such investments may also be invested in the same or the like investments and the fund so formed shall be called "the 'B' shares redemption fund."

(2) The moneys from time to time forming the "B" shares redemption fund shall subject to the provisions in this section hereinafter contained be applied by the directors at such time or times as they may deem convenient in the redemption at their nominal or par value of "B" shares selected by drawing or lot or in the redemption of shares of such class by purchase of the same below their nominal or par value either in the open market or by tender as the directors may from time to time determine.

(3) Except as is in this section hereinafter provided no proprietor of any "B" shares selected for redemption by drawing or lot or purchase under the provisions of this Act shall be entitled to any moneys in respect of the redemption thereof until the certificate thereof or the share warrant to bearer in respect thereof as the case may be shall have been delivered up to the directors to be cancelled or in the case of the loss or destruction of such certificate or share warrant to bearer until such loss or destruction shall have been proved to the reasonable satisfaction of the directors and such guarantee or indemnity as the directors may require shall have been given in respect thereof but any such "B" share shall be deemed to be redeemed on such day as the directors shall fix for the delivery up of the certificate thereof or the share warrant to bearer in respect thereof as the case may be and shall thereupon be ipso facto cancelled and no right or interest in the Company or in any lands or property of the Company shall thereafter exist in respect of any such "B" share save the right to receive

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subject to the provisions of this section the moneys payable in respect of the redemption thereof.

(4) Trustees executors and all other proprietors in any representative or fiduciary capacity of "B" shares may and shall accept the money paid on the redemption of their respective holdings of such shares under this section and may and shall hold dispose of or otherwise deal with such money in the same manner as nearly as may be as they might have held disposed of or otherwise dealt with the "B" shares in respect of which such money is paid.

(5) So soon as the whole of the "B" shares shall have been redeemed in accordance with the provisions of this Act the directors shall cease to carry any further money to the credit of the "B" shares redemption fund and any surplus money or securities then standing to the credit of such fund may be dealt with by the Company for the general purposes of the Company to which capital is applicable or in the manner and subject to the conditions provided for by section 5 of the Act of 1877.

(6) If the proprietor of any "B" share selected for redemption by drawing or lot under the provisions of this Act cannot after reasonable inquiry be found or any question arises as to who is the proprietor of any such share the directors may pay the money payable in respect of the redemption of such share into the Supreme Court under any Act for the time being in force for the relief of trustees and upon such payment being made the share in respect of which the same is made shall for the purposes of this Act and other the purposes of the Company be deemed to have been redeemed and cancelled.

Company may redeem "B" shares with land.

19.—(1) The Company may convey or dispose of any lands of the Company or any estate or interest therein to any proprietor of "B" shares in redemption of any such shares at their par or nominal value or partly in redemption of any such shares at such value and partly in consideration of a cash payment by such proprietor either presently payable or secured by mortgage of the lands sold or otherwise The Company may also accept surrenders of "B" shares at their par or nominal value in redemption or part redemption of mortgages held by the Company on lands sold by it Provided that no fractional part of any such share shall be so redeemed.

(2) The certificate for or the share warrant to bearer in respect of every share which shall be redeemed under the provisions of this section shall be delivered to the Company and every such share shall forthwith be cancelled and no person shall thereafter have in respect of such share any right or interest in the Company or in any lands or property of the Company or be entitled to receive any money in respect of such share.

Reduction of capital.

20. The capital of the Company shall from time to time be and be deemed to be reduced by the nominal value of any "B" shares redeemed in accordance with the provisions of this Act and the auditors of the Company shall in their certificate applicable to each yearly account and balance sheet of the Company's affairs state and certify the total nominal amount of the shares so redeemed during the year to which such account and balance sheet are applicable.

Register of cancelled shares to be kept.

21. The Company shall keep a register of all "B" shares which have been from time to time redeemed under or in pursuance of the provisions of this Act and shall from time to time cause to be inscribed therein the names of the proprietors of such redeemed shares so far as such names are known to the Company the numbers of all shares so redeemed and the price at which the same were redeemed The said register shall during business hours but subject to such reasonable restrictions as the directors may impose be open to the inspection of any member of the Company There shall in each and every year be laid before the annual general meeting of the Company an abstract or copy of so much of such register as shall relate to shares redeemed during the period embraced in the report presented to such meeting.

Limitation of exercise of certain powers of Company.

22. From and after the passing of this Act it shall not be lawful for the Company or the directors—

(i) To exercise the powers of section 5 of the Act of 1877 (so far as such powers relate to the distribution and payment to members of the Company by way of return of capital of money from time to time received by the Company as purchase money for land of the Company) until the whole of the "B" shares shall have been redeemed in accordance with the provisions of this Act but nothing contained in this section

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shall be deemed to prohibit or limit the redemption of "B" shares in accordance with such provisions; or

(ii) To borrow any money on mortgage or debentures except with the sanction of special resolutions passed at separate meetings of the proprietors of the "A" and "B" shares respectively until the whole of the "B" shares shall have been redeemed as aforesaid nor (after all the "B" shares have been so redeemed) to borrow any money on mortgage or debentures without the sanction of a resolution of the proprietors of "A" shares.

Power to increase capital.

23. The Company may by special resolution from time to time whether all the shares in the capital of the Company for the time being authorised shall have been issued or not or whether all the shares for the time being issued are fully paid up or not increase the capital of the Company and raise by the creation and issue of new shares of one or more classes such further sums as the Company may think fit and may by any resolution creating such increased capital attach to the shares by which the same is represented any guarantee or preference or priority of payment of dividend or in the distribution of assets in a winding up or both or any other rights or privileges whether permanent temporary fixed fluctuating certain or contingent or any deferred rights or any restrictions as the Company shall think fit and any such new shares may be issued at such price whether at or below par or at a premium as the directors shall determine:

Provided always that nothing contained in this Act shall allow of any increase of the capital of the Company to such an extent that the total share capital of the Company shall at any time exceed the sum of seven hundred and fifty thousand pounds:

Provided also that nothing contained in or done under or in pursuance of this section shall prejudice or affect the rights to which the proprietors of "B" shares are expressly entitled under this Act in respect of such shares.

As to new capital.

24. The Company may by any resolution increasing the capital of the Company determine that the new shares created on such increase of capital or any of them shall be offered in

the first instance to the proprietors of "A" shares in proportion to the number of their respective shares or may make any other provision as to the issue and allotment thereof but in default of any such determination or so far as the same shall not extend the new shares may be allotted or disposed of to such persons and in such manner and on such terms as the directors shall think fit.

New capital to be part of capital of Company.

25. Any capital raised by the issue of new shares shall be considered as part of the capital of the Company and except so far as is otherwise provided by the conditions of issue or by this Act the respective proprietors thereof shall in proportion to their holdings in such new shares be entitled to the like rights of voting and all other rights qualifications privileges provisions forfeitures and liabilities in all respects as if the same had been part of the "A" shares Any premiums received upon the issue of any such new shares shall be deemed to be capital.

Restrictions as to votes in respect of preferential capital.

26. Except as may be otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares to which a preferential dividend shall be assigned.

Qualification of directors.

27.—(1) From and after the date of conversion of capital the qualification of a director of the Company shall be the holding of "A" shares of the nominal value of at least five hundred pounds.

(2) As from the date of conversion of capital section 9 (Qualification of directors) of the Act of 1877 is hereby repealed.

Loss or destruction of certificates warrants &c.

28. If a certificate relating to any share in the capital of the Company or a share warrant to bearer or a voting certificate is lost or destroyed then upon—

(A) Proof to the satisfaction of the directors of the ownership of such lost or destroyed share certificate warrant or voting certificate and of the loss or destruction thereof; and

(B) Such indemnity to the Company and the directors as the directors deem adequate being given; and

(C) Payment of all stamp and other Government duties (if any) payable in respect of the new share certificate or warrant together with a fee of two shillings and sixpence;

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a new share certificate share warrant to bearer or voting certificate as the case may be in lieu of the share certificate warrant or voting certificate so lost or destroyed shall be issued by the Company and in the case of the issue of a new share certificate or share warrant to bearer an entry of such issue shall be made in the register of shareholders by the secretary of the Company or some other person duly authorised in that behalf by the directors.

Power to Company to establish registers abroad.

29. The directors may establish and keep or cause to be kept and discontinue branch registers and may have official seals for use abroad in accordance with the powers conferred by sections 34 35 36 and 79 of the Companies (Consolidation) Act 1908 with respect to companies registered under that Act and authorised by their articles in that behalf and the provisions of the said sections except subsection (2) of section 34 shall *mutatis mutandis* apply to the Company.

Former Acts and charter continued.

30. The charter as modified by the former Acts of the Company and this Act and the provisions of the said former Acts except so far as any of the same are modified by any Act subsequent thereto or this Act shall continue in force and be carried into execution accordingly Nothing in this Act shall exempt the Company from being subject to the law of any part of His Majesty's dominions and this Act shall in every part of such dominions be judicially noticed.

Restriction on raising capital.

31. Notwithstanding anything in this Act the Company shall not under the powers of this Act raise or borrow any money during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Costs of Act.

32. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

SCHEDULES referred to in the foregoing Act. A.D. 1916.

THE FIRST SCHEDULE.

ROYAL CHARTER.

GEORGE THE FOURTH by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and so forth To all to whom these presents shall come—

GREETING.

WHEREAS by an Act of Parliament passed in the sixth year of our reign intituled "An Act for granting certain powers and authorities to " a Company to be incorporated by Charter to be called 'The Van " Diemen's Land Company' for the cultivation and improvement of " waste lands in His Majesty's Island of Van Diemen's Land and for " other purposes relating thereto" After reciting that there are in our Island of Van Diemen's Land divers waste lands which might be cultivated to advantage if sufficient capital were raised for that purpose and that in our said Island of Van Diemen's Land there are a large number of convicts who are at present maintained at the public expense some of whom might be advantageously employed in the cultivation of such waste lands as aforesaid and that thereby a considerable annual saving would accrue to the public And that divers persons are willing to contribute and raise by subscription among themselves such a capital sum as will be necessary for bringing into cultivation such of the said waste lands as We may be pleased to grant to them and for the employment thereon of a large number of convicts And that the beneficial objects aforesaid cannot be effectually attained unless We should be pleased by our Charter to constitute and declare the persons aforesaid one body politic and corporate And further reciting that in the event of such a Charter being granted it will be necessary with a view to the beneficial objects aforesaid to vest in the said Company such powers and authorities as cannot be granted without the aid of Parliament It is therefore enacted that in case We shall within three years after the passing of the said Act be pleased by Charter under the Great Seal of Great Britain to declare and grant that such and so many persons as shall be named therein and all and every such other persons and person as from time to time shall be admitted members into their Corporation shall be a body politic and corporate by the name of "The Van Diemen's Land Company" and to declare that the

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said Corporation so to be made and created shall be established for the purpose of cultivating waste lands in the said Island of Van Diemen's Land and in any islands or territories which may at any future time be made dependent thereupon and for such other lawful purposes as to Us may seem meet Then and in that case it shall and may be lawful for the said Corporation to hold to them and their successors such lands tenements and hereditaments within the said Island of Van Diemen's Land and such dependencies thereof as aforesaid as shall or may be granted by Us to them and their successors within the said Island or its dependencies or as shall be contracted for and purchased or acquired by them therein and to hold alienate or exchange and dispose of all such lands tenements and hereditaments upon under and subject to such conditions provisoes limitations and restrictions as We by such our Charter may impose direct or prescribe And by the said Act of Parliament divers other powers and authorities are given to and divers regulations established respecting the said Company And whereas the several persons hereinafter named have with others by subscription among themselves raised a capital sum of one million pounds sterling which they have proposed to invest and lay out in the cultivation of waste lands in the said Island of Van Diemen's Land and in such other undertakings as are hereinafter particularly mentioned Now know ye that We of our special grace certain knowledge and mere motion have declared and granted and do hereby declare and grant that John Pearse Joseph Cripps Matthias Attwood James Bischoff Joseph Bond William Borradaile the younger Raikes Currie John Cattley Alexander Campbell Stuart Donaldson James Whitley Deans Dundas Edward Ellice William Marven Everett Henry Purnell Hicks Henry Hughes James Inglis John Jacob Brice Pearse John Horsley Palmer John Saunders Thomas Harrison Edward Phillips and William Wilkinson esquires and all and every such other persons and person as from time to time shall be admitted members into their Corporation shall be a body politic and corporate in name and in deed by the name of "The Van Diemen's Land Company" and shall by that name have perpetual succession and a common seal with power to break or alter such seal and by that name shall and may sue and be sued plead and be impleaded at law or in equity And We do hereby declare and grant that the said Corporation is and shall be established for the purpose of cultivating waste lands in the said Island of Van Diemen's Land and in any islands or territories which may at any future time be made dependent thereupon and for such other lawful purposes as are hereinafter mentioned that is to say We do declare and grant that it shall and may be lawful for the said Company to lay out and invest their capital or so much thereof as may be necessary in clearing improving and bringing into cultivation such lands as may be granted by Us to

them or as (subject to the conditions hereinafter mentioned) may be purchased by them within our said Island of Van Diemen's Land and such dependencies thereof as aforesaid and for that purpose to form erect and build all roads drains and bridges houses mills and other works and machinery necessary or convenient for the occupation or profitable cultivation of any such lands and to undertake for and to defray all costs charges and expenses incident to the removal to Van Diemen's Land aforesaid or the said dependencies thereof of persons willing and desirous to emigrate to our said Island or its dependencies for the purpose of effecting settlements upon the lands so to be granted to or purchased by the said Company as aforesaid And We do further declare and grant that the said Company is also established for the purpose of opening working and raising mines and minerals within our said Island and its dependencies aforesaid And that it shall and may be lawful for the said Company to search for and work all such mines mine works quarries pits holes beds veins and other bearings of mines ore coals and other minerals and metals and metallic substances and other matters and products as they shall in manner hereinafter mentioned take on lease hold or possess under Us our heirs or successors in our said Island of Van Diemen's Land and its dependencies aforesaid and for that purpose to erect all necessary machines gear and implements and do all such other acts and deeds matters and things as may be necessary for effectually carrying on such mines and works Provided nevertheless and We do hereby declare that it shall not be lawful for the said Company so to work or raise as aforesaid any mines or minerals or to engage in any mining operations in or upon any land whatsoever save and except only in and upon lands granted or demised by Us our heirs and successors to the said Company for the express purpose of working or raising mines and minerals thereupon and subject to such restrictions covenants and provisoes as shall or may be imposed stipulated for or required by Us our heirs or successors or on our or their behalf in any such grants or leases as may be made by Us our heirs or successors Provided nevertheless that nothing herein contained shall extend or be construed to extend to prevent the said Company from quarrying or raising stone lime clay or other materials for building without any express authority for that purpose upon any of the lands which may be granted to or purchased or acquired by the said Company as aforesaid in our said Island and its dependencies aforesaid And We do further declare that the said Company is established for the said purpose of making loans or advances of monies to settlers and other residents within our said Island of Van Diemen's Land and its dependencies aforesaid upon the security of any lands tenements or hereditaments therein situate Provided nevertheless that a memorial of every such loan stating the amount of the sum so lent and

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advanced and the name of the person to whom the same may be so lent and the description of the property on the security of which any such loan is made shall within one month next after any such loan has been made be duly enrolled by the said Company or their lawful agent or agents in the Supreme Court of Van Diemen's Land Provided also that the money which it shall and may be lawful for the said Company so to lend to and to be in advance for or on account of settlers and others resident within our said Island and its dependencies aforesaid upon the security of any lands tenements or hereditaments therein situate shall not at any one time exceed in the whole the sum of fifty thousand pounds sterling money of Great Britain Provided also that no lands tenements or hereditaments shall be conveyed to or in trust for the said Company by way of security for payment of any sum or sums of money in such manner or form as to enable the said Company upon default of payment thereof to proceed to an absolute foreclosure of such lands but that all such last-mentioned securities for money shall be in the nature and form of conveyances in trust to sell the lands tenements and hereditaments therein comprised in default of payment of the sum or sums of money by any such conveyance or conveyances secured and made payable and that all such sums of money shall be made payable by instalments and not otherwise Provided nevertheless that nothing herein contained shall extend to prevent the said Company from making loans or advances of money to any amount which to the said Company may seem meet to persons settling on any of the lands so to be granted to the said Company as aforesaid by Us or to be purchased or acquired by them on the security of and for the purpose of promoting the cultivation and improvement of such lands or from taking any such security from any such persons as last aforesaid as to them shall seem meet And We do further declare and grant that the said Company is and shall be established for the purpose of lending any sum or sums of money to persons resident and being in our said Island of Van Diemen's Land or its dependencies aforesaid on the security of bonds or judgments Provided that the whole amount of money which it shall and may be lawful for the said Company so to lend to and to be in advance for any persons in the said Island of Van Diemen's Land or its said dependencies on such security of bonds or judgments as aforesaid shall not at any one time exceed in the whole the sum of twenty thousand pounds sterling money of Great Britain Provided also that the said Company shall not carry on within the said Island of Van Diemen's Land or elsewhere the trade or business of banker nor make any such loans or advances of money as aforesaid by way of discount upon bills of exchange promissory notes or other negotiable securities which by the custom of trade are transferable by delivery or endorsement Provided likewise that the making of loans by the said

Company on such bonds or judgments as aforesaid shall be subject to such further regulations and restrictions as We our heirs or successors may from time to time lay down or prescribe under our or their signet or sign manual And We do further declare and grant that the said Company is and shall be established for the purpose of contracting for and executing any public works which may be undertaken by Us our heirs or successors or by any person or persons duly authorised in that behalf in the said Island of Van Diemen's Land and its dependencies aforesaid and for doing all such things and entering into all such agreements as may be necessary for the purpose of carrying any such contracts as aforesaid into full effect Provided that the money which it shall and may be lawful for the said Company to lay out or to be bound engaged or liable for on account of any such undertaking or undertakings as last aforesaid shall not at any one time exceed in the whole the sum of fifty thousand pounds sterling money of Great Britain Provided also that after the expiration of ten years from the day of the date hereof it shall not be lawful for the said Company to contract for or execute any such public works as aforesaid (except such works as they shall have previously commenced) unless express licence for that purpose for a further period shall first be granted to the said Company by Us our heirs or successors under our or their sign manual Provided also that nothing herein contained shall be construed to give to the said Company any claim or title to be preferred to any other person or persons or bodies politic or corporate as to the execution of any such public works as aforesaid And We do further declare and grant that the said Company is and shall be established for the further purpose of advancing upon the security of tolls or other public taxes which may be levied or payable within our said Island of Van Diemen's Land and its dependencies aforesaid any sum or sums of money or any part or parts of any sum or sums of money which shall be borrowed or taken up at interest for the public service upon the security of any such tolls or taxes under any Act or Acts passed by the Governor or Lieutenant-Governor and Legislative Council of our said Island and its dependencies and confirmed and approved by Us our heirs or successors Provided always that the money which it shall be lawful for the said Company to employ or to be in advance for or on account of any such loans as last aforesaid shall not at any one time exceed in the whole the sum of one hundred thousand pounds sterling money of Great Britain And provided also that after the expiration of ten years from the day of the date hereof it shall not be lawful for the said Company to make any such advance as last aforesaid unless express licence for that purpose for a further period shall first be granted to the said Company by Us our heirs or successors under our or their sign manual And We do further declare and grant that it

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shall and may be lawful for the said Company and that the said Company is and shall be established for the purpose of making loans of money to any person or persons engaged in the whale or seal fisheries upon or in the neighbourhood of the coast of Van Diemen's Land and its dependencies aforesaid for the purpose of carrying on such fisheries Provided that the money which it shall and may be lawful for the said Company to employ or be in advance in making such loans as last aforesaid shall not at any one time exceed in the whole the sum of twenty thousand pounds sterling money of Great Britain in addition to any sum or sums lent and advanced under the provisions and regulations hereinbefore contained Provided also that it shall not be lawful for the said Company to take any security for any such loans as last aforesaid save and except only in the manner and form and subject to the restrictions hereinbefore mentioned with regard to any other securities to be taken by them And We do further declare and grant that it shall be lawful for the said Company to purchase acquire and hold houses wharves and other buildings and also lands and other hereditaments within the said Island of Van Diemen's Land and the aforesaid dependencies thereof Provided nevertheless that the money which it shall be lawful for the said Company to employ or to be in advance in the purchase of houses wharves and buildings in our said Island and its dependencies aforesaid shall not at any one time exceed in the whole the sum of twenty thousand pounds sterling money of Great Britain and that the money which it shall be lawful for the said Company to employ or to be in advance in or for the purchase of lands or other hereditaments not consisting of a house wharf or other building shall not at any one time exceed in the whole the sum of ten thousand pounds like sterling British money Provided also that it shall not be lawful for the said Company to purchase acquire or hold any lands or other hereditaments not being a house or houses wharf or wharves or other building or buildings within our said Island or its dependencies aforesaid unless and until they shall first obtain a licence for that purpose under the hand and seal of the Governor Lieutenant-Governor or other persons administering the government thereof And We do further declare and grant that in case it shall at any future time be made appear to Us upon any petition to be for that purpose preferred to Us our heirs or successors by the said Company that the sums of money which the said Company is so authorised as aforesaid to invest lay out employ or be in advance for the several purposes aforesaid or any of them are inadequate to the demands of our said Island and its dependencies aforesaid or that the amount of such sums or any of them might advantageously to the said Island or its dependencies aforesaid be increased Then and in that case it shall and may be lawful for the said Company to augment such investments or advances or any of

them to such extent as We our heirs or successors by any Order or Orders to be issued by Us our heirs or successors through one of our or their principal Secretaries of State shall from time to time authorise and direct And We do hereby declare that such lands tenements and hereditaments within our said Island of Van Diemen's Land and its dependencies aforesaid as shall or may be granted by Us our heirs or successors to the said Company and their successors shall by them be held alienated sold exchanged and disposed of upon under and subject to such conditions provisoes limitations and restrictions as hereinafter mentioned that is to say Firstly That all grants of land in the said Island of Van Diemen's Land or its dependencies aforesaid which may be made to the said Company by Us our heirs or successors shall be passed under the Great Seal of the said Island and its dependencies in pursuance of warrants under the Royal sign manual of Us our heirs or successors Secondly That for and in respect of all such lands within the said Island or its dependencies aforesaid as may be granted by Us our heirs or successors to the said Company in fee simple to be holden by them in free and common socage there shall be reserved and paid and payable to Us our heirs and successors an annual quit-rent which shall amount to the sum of thirty shillings and no more for each and every parcel of the said lands of the value of one hundred pounds sterling Thirdly That no quitrents shall accrue due or be payable by the said Company for or in respect of any such lands as aforesaid during the term of five years to be computed from the date of any grant in and by which such lands may be so granted Fourthly That upon giving six months' notice in writing under their common seal to the Governor Lieutenant-Governor or other person administering the government of the said Island and its dependencies it shall be lawful for the said Company to redeem the said quitrent or any part thereof upon payment into the Treasury of our said Island and its dependencies in British sterling money of a capital sum equal to twenty times the amount of the rent so to be redeemed Provided always that the redemption of any portion of the said quitrents shall not exonerate or discharge any part of the lands so to be granted to the said Company from the payment of the whole or any part of the quitrents remaining unredeemed Fifthly That the said Company shall employ upon the lands so to be granted to them such a number of convicts as shall at the least be equal to the number of free labourers employed thereupon if the Governor Lieutenant-Governor or other person administering the government for the time being of the said Island and its dependencies shall be able and willing to supply a sufficient number of convicts for that purpose Sixthly That the said Company shall at their own expense employ fit and proper persons not being or having been convicts to act as superintendents of the convicts so to be employed by them in the proportion (at the least) of

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one such superintendent to every fifty convicts Seventhly That no land granted to the said Company by Us our heirs or successors shall by the said Company be granted bargained sold conveyed demised or alienated for or during a period of five years to be computed from the date of the grant from Us our heirs or successors in which any such lands may be comprised And if any such grant bargain sale conveyance demise or alienation shall during any such period as aforesaid be made or executed the lands therein comprised shall be and become absolutely forfeited to and vested in Us our heirs and successors Eighthly That the lands to be granted to the said Company by Us our heirs or successors shall be held by them in mortmain and be absolutely inalienable by them except upon the terms and conditions following that is to say That it shall be lawful for the Governor Lieutenant-Governor or other person administering the government of the said Island and its dependencies and the Executive Council thereof and they are hereby required upon application to them for that purpose made by the said Company to direct the Surveyor-General or Deputy Surveyor-General for the time being of the said Island and its dependencies to enquire and report whether the sum of two thousand five hundred pounds sterling hath been laid out and expended by the said Company in the formation of roads the erection of buildings the cultivation clearing fencing draining or other improvements of any such lands And if the said Surveyor-General or Deputy Surveyor-General shall report to the said Governor Lieutenant-Governor or other person administering the government of the said Island and the said Executive Council thereof that the sum of two thousand five hundred pounds sterling hath been so expended it shall be and become competent to the said Company without licence from Us our heirs or successors to alienate and convey in fee simple but subject to the quitrents aforesaid any part or parts of the lands so granted to them not exceeding twelve thousand five hundred acres in the whole and such and the same proceedings shall from time to time take place upon each successive application of the said Company for the purpose aforesaid to the said Governor Lieutenant-Governor or other person administering the government of the said Island and its dependencies and the said Executive Council thereof and upon each successive report so made as aforesaid of the further expenditure upon any such lands of any further sum of two thousand five hundred pounds sterling as aforesaid the said Company shall be and become competent to alienate twelve thousand five hundred acres or any smaller quantity of the lands to be granted to them until one moiety or equal half part of such lands shall in manner aforesaid become alienable Provided always that every such report as aforesaid shall be enrolled in the Supreme Court of Van Diemen's Land Provided also that it shall be lawful for the said Company to alienate any of the lands to be granted

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to them as aforesaid upon obtaining a special licence for that purpose from Us our heirs or successors through one of our or their principal Secretaries of State Provided further that every grant or conveyance of lands to be made by the said Company shall be absolutely null and void unless the same shall expressly refer to and particularise the Surveyor-General's or Deputy Surveyor-General's report or the licence from Us our heirs or successors (as the case may be) under the authority of which the same may be so granted or conveyed Provided nevertheless that nothing herein contained shall extend to or prevent any demise of any such lands made by the said Company for any term not exceeding twenty-one years without any covenant of renewal so as that not more than one moiety of the lands so to be granted as aforesaid be demised within twenty years next succeeding the date of any such grant Ninthly That the quitrents to accrue due upon any lands to be granted to the said Company by Us our heirs or successors for and during the term of five years to commence and be computed from and after the expiration of the first five years next following the date of any such grant shall not be actually collected and received until the expiration of such second term of five years And that at that time all quitrents then due and in arrear by the said Company shall be remitted if one hundred and fifty convicts shall have been regularly employed and maintained by the said Company for and during the greater part of such second term of five years Tenthly That the said quitrents to accrue due for and during the further term of five years to commence and be computed from and after the expiration of the second term of five years next following the date of any such grant shall not be actually collected and received until the expiration of such third term of five years And that at that time all quitrents accrued due and then in arrear by the said Company in respect of such third term of five years shall be remitted if two hundred and fifty convicts shall have been regularly employed and maintained by the said Company for and during the greater part of the said third term of five years Eleventhly That the said quitrents to accrue due for and during the further term of five years to commence and be computed from and after the expiration of the said third term of five years next following the date of any such grant shall not be actually collected until the expiration of the fourth term of five years And that at that time all quitrents accrued due and then in arrear by the said Company in respect of the said fourth term of five years shall be remitted if three hundred and fifty convicts shall have been regularly employed and maintained by the same Company for and during the greater part of such fourth term of five years Twelfthly That if at any time within twenty years next after the date of any such grant it shall be made to appear to the satisfaction of Us our heirs or successors or of the Governor Lieutenant-Governor or other person administering the government for the time being of our said

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Island and its dependencies that the said Company hath by the employment of convicts exonerated our Treasury from a charge equal in the whole to the sum of twenty-five thousand pounds sterling then the lands which may by Us our heirs or successors have been granted to the said Company shall be for ever discharged of and from the quit-rents thereafter to accrue due in respect thereof And in calculating the amount of the sums from which our said Treasury has been so exonerated it shall be assumed and taken that the said Treasury have saved the sum of sixteen pounds sterling for each and every convict who shall appear to have been maintained during one whole year by the said Company and in such proportion for a lesser term than one year that each and every convict shall have been so maintained by the said Company And We do further declare that in any grants to be made by Us our heirs or successors to the said Company of any lands situate in the said Island of Van Diemen's Land and its dependencies all necessary covenants shall be made and entered into by the said Company for ensuring the due observance and performance on their part of the several conditions provisoes and restrictions aforesaid And We do hereby further declare and grant that the capital or joint stock of the said Company to be used and applied in establishing and carrying on the undertaking and for the purposes aforesaid shall consist of the sum of one million pounds sterling to be raised in shares of one hundred pounds each And We do further declare and grant that all and every the persons and person by or from whom any subscription shall be made or accepted or by or from whom (pursuant to the orders of any general meeting or meetings to be held by the said Company for that purpose) any payment shall be made for or towards the raising of the said capital of the Company his her or their executors administrators and assigns respectively (no such subscription being less than one hundred pounds) shall have and be entitled to a share of and in the said capital of the said Company in proportion to the monies which he she or they shall have contributed towards making up the same and shall have and be entitled to a proportionable share in the profits and advantages attending the capital stock of the said Company and shall be admitted members of the said Company And We do further declare and grant that there shall be two of the members of the said Company qualified in the manner and to be nominated and appointed as hereinafter is mentioned who shall be and be called the governor and deputy-governor of the said Company and who shall also be two of the directors of the said Company and there shall be eighteen other of the members of the said Company qualified in the manner and to be nominated and appointed as hereinafter is mentioned who shall also be directors of the said Company and there shall be three others of the said members of the said Company who shall be and be called the auditors and examiners of the accounts of the said

Company and there shall be one other person to be nominated and appointed as hereinafter is mentioned who shall be and be called the clerk of the said Company and there shall be such further officers and servants as may be deemed expedient by the directors of the said Company And We do further declare and grant that no owner or proprietor of shares in the capital of the said Company shall be qualified to be elected or to sit and act as governor deputy-governor director or auditor and examiner of accounts of the said Company unless he shall at the day of election bonâ fide hold and possess and shall continue to hold and be possessed of fifty shares at least in the capital of the said Company Provided always that with the exception of the present subscribers no proprietor of shares shall be qualified to sit and act as governor deputy-governor director or auditor and examiner of accounts of the said Company unless he shall bonâ fide have held and possessed the said number of shares respectively for the space of six calendar months next before such day or days of election And We do further declare and grant that the said John Pearse shall be and he is hereby constituted and appointed the first governor and the said Joseph Cripps shall be and he is hereby constituted and appointed the first deputy-governor and the said John Pearse and Joseph Cripps and the said Matthias Attwood James Bischoff Joseph Bond William Borradaile the younger Raikes Currie John Cattley Alexander Campbell Stuart Donaldson James Whitley Deans Dundas Edward Ellice William Marven Everett Henry Purnell Hicks Henry Hughes James Inglis John Jacob Brice Pearse John Horsley Palmer and John Saunders shall be and they are hereby constituted and appointed the first directors of the said Company And We do further declare and grant that the several persons hereby nominated constituted and appointed the governor and deputy-governor of the said Company shall continue in office and be respectively the governor and deputy-governor for the term of five years to be computed from the first Tuesday in the month of March one thousand eight hundred and twenty-five and until others or another shall be appointed in their or either of their stead in pursuance of this our Charter and at the expiration of the said term and also at the expiration of every succeeding period of four years two other persons shall be elected and appointed out of the members of the said Company to be the governor and deputy-governor of the said Company who shall continue in their respective offices for the space of four years to be computed from the day of election and until others or another shall be duly elected into their or either of their places And We do further declare and grant that on the first Tuesday in the month of March one thousand eight hundred and thirty six of the said directors (not being the governor or deputy-governor) to be determined by lot among themselves shall go out of the office of director

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and on the first Tuesday in the month of March one thousand eight hundred and thirty-one six others of the said directors (not being the governor or deputy-governor) to be determined by lot among the hereby appointed directors (not being the governor or deputy-governor) then remaining in office shall go out of the office of director and on the first Tuesday in the month of March one thousand eight hundred and thirty-two such six of the directors (not being the governor or deputy-governor) who shall then have been longest in the office of director shall go out of the said office And We do further declare and grant that at the yearly general meeting which shall be holden in the year one thousand eight hundred and thirty and at the like yearly general meeting in every succeeding year there shall be an election of six members qualified respectively in manner hereinbefore mentioned who shall thenceforth be six of the directors of the said Company for three 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 And We do further declare and grant that the said Thomas Harrison Edward Phillips and William Wilkinson shall be and they are hereby constituted and appointed the first auditors and examiners of the accounts of the said Company And We do further declare that the several persons hereby nominated constituted and appointed the auditors and examiners of the accounts of the said Company shall continue in office and be respectively auditors and examiners of the accounts of the said Company for the term of four years to be computed from the first Tuesday in the month of March one thousand eight hundred and twenty-five and until others or another shall be appointed in their or any or either of their stead in pursuance of this our Charter and at the expiration of the said term and also at the expiration of every succeeding year three other persons shall be elected and appointed out of the members of the said Company to be auditors and examiners of the accounts of the said Company who shall continue in their respective offices for the space of one year 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 Provided always and We do hereby further declare that nothing in this our Charter contained shall be taken or construed to prevent any governor deputy-governor director or auditor and examiner of the accounts for the time being going out of office as aforesaid from being immediately re-elected to the said office provided he should be duly qualified as aforesaid Provided always and We do further declare that so often as it shall happen that any governor deputy-governor director or auditor and examiner of accounts of the said Company shall be dismissed at any special general meeting of the said Company (which such special general meeting shall have power to do whenever it shall think fit) or shall die resign or become disqualified to continue

in or hold the said offices or any or either of them a special general meeting of the Company shall be convened by the directors of the said Company for the purpose of electing some one or more member or members qualified as aforesaid to fill such vacancy or vacancies and exercise the said office or offices or either of them respectively for such time and times and with the like powers and authorities as the person or persons so being dismissed dying having resigned or become disqualified would have done respectively if no such vacancy as aforesaid had occurred And We do further declare that there shall be held in each year one general meeting of the said Company (that is to say) on the first Tuesday in the month of March in each year or within fourteen days next after of which meeting fourteen days' notice at the least shall be given by advertisement in the London Gazette and in two or more of the public daily newspapers published in the city of London or county of Middlesex and the first yearly general meeting to be held by virtue of this our Charter shall be holden on the first Tuesday in the month of March one thousand eight hundred and twenty-six and at such yearly general meeting and at every special general meeting to be held in pursuance of and to be called in the manner prescribed in this our Charter the governor or in his absence the deputy-governor or in the absence of the governor and deputy-governor one of the directors of the said Company to be chosen at such general meeting or in the absence of all the directors any one member to be chosen at such meeting shall be the chairman of such general meeting and all such general meetings may be adjourned from time to time and from place to place as shall be found expedient and the members of the said Company at such yearly general meeting or at any special general meeting to be called for that purpose of which fourteen days' notice shall be given by advertisement as aforesaid specifying the purpose for which such special general meeting is called or at any adjournment thereof shall have power to elect persons qualified according to this our Charter to be the governor deputy-governor and directors and auditors and examiners of the accounts of the said Company or to serve in the place of such person or persons whose respective office or offices shall have become vacant by dismissal death resignation or want of qualification or otherwise and all elections and all questions at any general meeting of the said Company shall be respectively made and decided by a majority of votes of the members present according to their respective shares each member being entitled to a vote or votes according to and in the proportion following that is to say for ten shares and less than thirty shares one vote for thirty shares and less than sixty shares two votes for sixty shares and less than ninety shares three votes for ninety shares and upwards four votes and not more Provided always that no person shall be entitled to vote at any

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general meeting of the said Company which shall happen at any time or times after the expiration of six calendar months next after the first general meeting of the said Company or at any adjournment thereof in respect of any share or shares which he or she may possess in the capital of the said Company unless such person or persons respectively shall have actually and bonâ fide held and possessed such share or shares for the full space of six calendar months next before such general meeting as aforesaid and unless such persons shall have fully paid and satisfied all arrears of money which shall or may have become due and payable in pursuance of any call or calls made by the directors of the said Company for and in respect of any such share or shares nor shall any person vote at any of the general meetings of the said Company upon any question or questions relating to the concerns of the said Company in which such person or persons shall be interested otherwise than as the other members of the said Company are interested and that the chairman for the time being of such general meeting shall be entitled to vote and that in case the number of votes including the said chairman's vote shall be equal he shall also have an additional or casting vote And We do further declare that the directors of the said Company shall have the custody of the common seal of the said Company and shall have full power and authority to use the same for the affairs and concerns of the said Company and shall have full power and authority to meet and adjourn from time to time and from place to place and also to direct manage and transact the affairs and business of the said Company and to exercise all and every the powers and authorities contained in this our Charter or in the said Act of Parliament for which any general meeting or meetings is or are not hereby required subject nevertheless to such orders byelaws rules and regulations as shall at any time be duly made by or at any general meeting of the said Company And We do hereby further declare that the directors of the said Company shall and may at any time or times and for such purpose or purposes as they may think proper have power to call a special general meeting or meetings of the said Company of which notice shall be given by advertisement in the London Gazette and two or more of the public daily newspapers published in the city of London or county of Middlesex fourteen days at the least previous to such meeting And We do hereby further declare that for the purpose of transacting the affairs and concerns of the said Company and putting this our Charter of Incorporation into execution the directors of the said Company including the governor and deputy-governor shall meet together at the office of the said Company one day in every month at the least and at such other times as they shall think proper and any two or more of the directors may at any time call a meeting of the directors by notice in writing to be sent to each of the directors

respectively or to his or their usual or last place of abode but no business shall be transacted at any such meeting unless five at least of the directors shall be present and all questions matters and things which shall be proposed discussed or considered by them shall be decided and determined by the majority in number then present and in case of an equal division the director for the time being in the chair shall have an additional or casting vote besides his own personal vote and if on the day appointed for any such meeting a sufficient number of directors shall not attend then and in every such case the said meeting shall be adjourned to the next day not being Sunday by the director or directors then present or if none be present by the clerk of the said Company or such other person as shall attend in his place and the proceedings of every meeting of directors shall be entered in a book to be kept by the clerk for that purpose and shall be signed by the director who shall be in the chair And We do hereby further declare that it shall and may be lawful to and for the directors of the said Company and they are hereby authorised and required from time to time to nominate and appoint one or more banker or bankers treasurer or treasurers receiver or receivers collector or collectors of all and singular the sum and sums of money payable or to become due and payable under or by virtue of this our Charter or of the said Act of Parliament and also a fit and proper person who shall be the clerk of the said Company and such other officers and servants as the said directors shall think proper and expedient for the purposes of this our Charter And also from time to time to discharge and dismiss or suspend any such clerk banker treasurer receiver collector or other officers or servants and to appoint others in their stead as they shall think fit Provided always and we do hereby further declare that it shall not be lawful for the said directors to appoint the person who may be appointed to act as clerk of the said Company or the partner of any such clerk or any person in the service or employment of any such clerk to be a treasurer for the purposes of this our Charter of Incorporation or to appoint the person who may be appointed a treasurer or the partner of any such treasurer or any person in the service or employment of any such treasurer to be the clerk of the said Company And We do hereby further declare that no business shall be transacted at any special general meeting of the said Company besides the business for which it shall have been called and no other business shall be transacted at any adjourned general meeting of the said Company besides the business left unfinished at the meeting from which such adjournment took place and if at any general or special general meeting of the said Company ten members at the least shall not assemble and proceed to business in one hour from the time appointed for such meeting or if that number be not present when the whole or any part of the

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business to be transacted shall be decided upon the meeting shall adjourn to the same day in the following week or to some other day to be appointed by the members then present of which adjournment or adjournments notice shall be given to the several members of the said Company Provided always that the several notices to be given to the members of the said Company of the adjournment of any general or special general meeting shall be given in the manner directed by this our Charter for notices of calling any special general meeting of the said Company except that three days' notice in the Gazette or newspapers shall be sufficient And We do hereby further declare that the directors of the said Company shall have power and authority and they are hereby required to cause to be balanced the books of the said Company up to the thirty-first day of December in each year the first balance to be made up to the thirty-first day of December next after the making of this our Charter of Incorporation or up to such other period of each year as any yearly general meeting of the said Company may from time to time appoint and the same being so balanced shall be examined and signed by two or more of the auditors and examiners of the accounts of the said Company and approved by the directors of the said Company and an abstract of the said balance showing the state of the debts and credits of the said Company shall be signed by two or more of the auditors and examiners and shall be produced at the following yearly general meeting of the said Company so that any of the members attending the said meeting may have an opportunity of inspecting the same And We do hereby further declare that at every yearly general meeting of the said Company or some adjournment thereof a dividend or dividends shall be made out of the clear residue (after deducting therefrom provided the directors shall so think fit any sum not exceeding one-tenth part thereof as herein is mentioned) of the profits or advantages of the said Company unless such general or adjourned general meeting shall declare otherwise and such dividend or dividends shall be at and after the rate of so much per cent. upon all and every the sums and sum of money paid to the said Company by the members thereof or the persons under whom they respectively claim as such meeting or meetings shall think fit to appoint and determine Provided always that no dividend shall be paid in respect of any share or shares after any call for money in respect of such share or shares shall have become due and payable until such money be paid Provided also that no dividend shall be made whereby the capital of the said Company shall be in any degree reduced or impaired Provided also that no dividend shall be declared made or paid for twenty-four calendar months after the making and granting of this our Charter of Incorporation And We do hereby further declare that the said Company shall have full power and authority from time to time at

any general meeting of the said Company to make such reasonable rules orders and byelaws as to them shall seem meet and proper for the good government of the said Company and for regulating the proceedings of the directors and the duties and conduct of the clerk and all officers attorneys agents apprentices labourers workmen and servants to be employed in and about the affairs and business of the said Company as well in the said Island of Van Diemen's Land and its dependencies aforesaid as in our United Kingdom of Great Britain and Ireland and for the superintendence regulation and management of the said Company in all respects whatsoever and from time to time to alter and repeal such rules orders and byelaws or any of them and to make others and to impose and inflict such reasonable fines and forfeitures for offences against such rules orders and byelaws or any of them not exceeding the sum of two hundred pounds for any one offence as to the said Company at a general meeting shall seem meet and expedient and all rules orders and byelaws so made as aforesaid shall be reduced into writing and the common seal of the said Company thereto affixed and countersigned by the clerk to the said Company Provided always that such rules orders and byelaws be not repugnant to the laws of that part of our United Kingdom of Great Britain and Ireland called England or to any of the express directions or provisions of the said Act of Parliament or of this our Charter of Incorporation Provided also that copies thereof shall be fixed and continued in the office of the said Company And We do hereby further declare that if at any time any nine or more of the members of the said Company who shall together be holders of three hundred shares at the least in the capital thereof shall deem it necessary or expedient to call a special general meeting of the members of the said Company for the purpose of taking their opinion and determination upon any matter or thing relating to the said Company and shall sign a requisition in writing to the directors of the said Company for that purpose which shall specify the object of such meeting and shall deliver or cause the same to be delivered to the clerk of the said Company it shall be lawful for the directors of the said Company and they are hereby required to call a special general meeting of the members of the said Company And in case the directors of the said Company shall refuse or neglect for the space of thirty days to comply with such requisition then and in such case it shall be lawful for the members who shall have signed the same to call a special general meeting of the members of the said Company by advertisement in the London Gazette and in four or more of the newspapers published in the city of London or county of Middlesex specifying the place within the cities of London or Westminster where and the time when such meeting is to be held (the time not being less than fourteen days after such notice) and the reason for and intention of calling such special meeting and the members of the said Company are hereby authorised

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to meet pursuant to such notice and take into consideration the matter or matters to be submitted to them by the persons calling such special meeting and specified in such notice and the decision determination and order of the members of the said Company present at such meeting or the majority of them according to the number of votes they shall have a right to give as aforesaid respecting such matter or matters shall be as valid to all intents and purposes as if the same had been made at any general meeting of the said Company as aforesaid Provided always that ten members at the least shall be present at such meeting as hereinbefore is mentioned And We do hereby further declare that it shall and may be lawful to and for the directors of the said Company and they are hereby empowered provided they shall so think fit at or previously to each and every general meeting to be held pursuant to this our Charter of Incorporation for the purpose of considering of or for making or declaring a dividend or dividends out of the clear profits of the said Company to deduct and set apart any sum not exceeding one-tenth part of the clear profits of the said Company and the said directors shall in such case forthwith lay out and invest in the name of four of the directors as trustees for the said Company such one-tenth part of the said clear profits and produce from time to time as and when the same shall be so deducted and set apart as aforesaid in such one or more of the Parliamentary stocks or public funds of Great Britain as the directors of the said Company shall in their discretion deem expedient until the money so laid out and invested as aforesaid shall amount to the sum of twenty thousand pounds sterling and also from time to time and at all times thereafter so often as the same fund or sum of twenty thousand pounds shall be reduced by the payment of or for any extraordinary contingencies to deduct and set apart at or previously to any future general meeting or meetings aforesaid any sum not exceeding one-tenth part of the said clear profits and produce and invest the same as aforesaid until the same fund shall be restored and again amount to the said sum of twenty thousand pounds and so on from time to time and at all times hereafter and so often as the same shall be reduced in manner aforesaid and that the dividends and interest to become and be due and payable in respect of the said stocks or funds so laid out and invested as aforesaid and each and every of them respectively shall fall into and become a part of the said profits and produce of the said Company periodically to become and be divisible as herein mentioned Provided always that the directors of the said Company shall have full power and authority from time to time when and so often as they shall deem it expedient to vary or transpose the stocks or funds or any of them or any part thereof in which the said monies shall from time to time be invested for or into other stocks or funds of a like nature and also shall and may sell and dispose of all or any part or parts

of the said stocks or funds and convert the same into money for the purpose of answering every or any extraordinary contingency or contingencies as and when the same or any part thereof shall by the directors of the said Company be deemed necessary anything herein contained to the contrary thereof in anywise notwithstanding And We do hereby declare that the banker or bankers treasurer or treasurers to be appointed by the directors of the said Company shall not issue any sum or sums of money on account of the said Company without an order or orders in writing signed by three or more of the directors of the said Company And lastly We do hereby for Us our heirs and successors grant and declare that these our Letters Patent or the inrolment or exemplification thereof shall be in and by all things valid and effectual in the law according to the true intent and meaning of the same and shall be taken construed and adjudged in the most favourable and beneficial sense for the best advantage of the said Company in all our courts of record and elsewhere any misrecital non-recital or other defect matter cause or thing whatsoever in anywise notwithstanding In witness whereof we have caused these our Letters to be made Patent Witness ourself at our Palace of Westminster this tenth day of November in the sixth year of our reign.

By Writ of Privy Seal

Scott.

The Great Seal.

THE SECOND SCHEDULE.

The Royal Grant.

Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth To all to whom these presents shall come—

Greeting.

Whereas by an Act of Parliament made and passed in the sixth year of the reign of His late Majesty King George the Fourth intituled "An Act for granting certain powers and authorities to a Company to " be incorporated by Charter to be called 'The Van Diemen's Land " Company' for the cultivation and improvement of waste lands in " His Majesty's Island of Van Diemen's Land and for other purposes " relating thereto" it was amongst other things enacted that in case His said Majesty should within three years after the passing of the said Act be pleased by Charter under the Great Seal of Great Britain to declare and grant that such and so many persons as should be

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named therein and all and every such other persons and person as from time to time should be admitted members into their Corporation should be a body politic and corporate by the name of "The Van Diemen's Land Company" and to declare that the said Corporation so to be made and created should be established for the purpose of cultivating waste lands in the said Island of Van Diemen's Land and in any islands and territories which might at any future time be made dependent thereupon and for such other lawful purposes as to His Majesty might seem meet Then and in such case it should and might be lawful for the said Corporation to hold to them and their successors such lands tenements and hereditaments within the said Island of Van Diemen's Land and such dependencies thereof as aforesaid as should or might be granted by His said Majesty to them and their successors within the said Island or its dependencies or as should be contracted for and purchased or acquired by them therein And to hold alienate sell exchange and dispose of all such lands tenements and hereditaments Upon under and subject to such conditions provisoes limitations and restrictions as His said Majesty by such His Charter might impose direct or prescribe And whereas His said late Majesty by His Letters Patent or Charter under the Great Seal of Great Britain dated at Westminster the tenth day of November in the sixth year of the reign of His said late Majesty and in the year of our Lord one thousand eight hundred and twenty-five after reciting the said Act of Parliament did by His said Letters Patent or Charter grant and declare that certain persons therein named and all and every such other persons and person as from time to time should be admitted members into their Corporation should be a body politic and corporate in name and in deed by the name of "The Van Diemen's Land Company" And amongst other things did thereby declare that such lands tenements and hereditaments within the said Island of Van Diemen's Land and its dependencies aforesaid as should or might be granted by His said Majesty His heirs or successors to the said Company and their successors should by them be held alienated sold exchanged and disposed of upon under and subject to the conditions provisoes limitations and restrictions in the said Letters Patent or Charter expressed among which were certain conditions relating to certain quitrents thereby directed to be reserved to His said Majesty His heirs and successors And whereas by divers instructions which have been issued from time to time by order of His said late Majesty King George the Fourth and of His late Majesty King William the Fourth to the Governor Lieutenant-Governor or other person administering the government of our said Island of Van Diemen's Land and its dependencies the said Company have been authorised to take possession of the several lands and hereditaments hereinafter described and intended to be hereby granted and have with the assent of the

Governor Lieutenant-Governor or other person administering the government for the time being of our said Island and its dependencies entered into and taken possession of the said lands and hereditaments and the said Company have ever since been and now continue in the possession thereof and have expended very large sums of money in the improvement thereof but no grant thereof has been made to the said Company And whereas by an Act made and passed in the eleventh year of our reign intituled "An Act to amend an Act passed " in the sixth year of the reign of His Majesty King George the Fourth " for granting certain powers and authorities to the Van Diemen's Land " Company" After reciting (among other things) in part to the effect aforesaid And further reciting that the said Company had substantially fulfilled the material conditions contained in the said Letters Patent or Charter on their part to be observed and performed and that by reason of the lapse of time and the alteration of circumstances others of the said conditions had become immaterial It was enacted that it should be lawful for Us our heirs and successors from time to time and at all times thereafter by warrant under the Royal Sign Manual to authorise and empower the Governor Lieutenant-Governor or other person for the time being administering the government of the said Island of Van Diemen's Land and its dependencies to execute a deed or deeds under the Great Seal of the said Island and its dependencies granting to the said Company any lands tenements and hereditaments in the said Island and its dependencies freed and for ever discharged of and from the quitrents conditions provisces limitations and restrictions in the said Letters Patent or Charter expressed or such of them or such parts thereof as We our heirs or successors should in and by the said grant or warrant or grants or warrants direct and that it should be lawful for the said Company to hold alienate sell and dispose of all or any part or parts of the said lands so to be granted subject only to such conditions and restrictions if any as should be stipulated in and by the grant or grants thereof to the said Company And whereas We in consideration of the said instructions and in pursuance of the last hereinbefore recited Act of Parliament did by a warrant under our Royal Sign Manual bearing date on or about the fifteenth day of November now last past transmitted by our trusty and well-beloved cousin Henry Earl Grey one of our principal Secretaries of State authorise and empower the Governor or Lieutenant-Governor of our said Island of Van Diemen's Land and its dependencies to execute a deed under the Great Seal of the said Island and its dependencies of or to the tenor or effect of these presents Now know ye that in consideration of the premises We of our especial grace mere motion and certain knowledge have granted and for Us our heirs and successors do hereby grant unto the Van Diemen's Land Company and their successors Firstly all that block or tract of land situate

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lying and being in the district known as the Surrey Hills in our said Island of Van Diemen's Land and containing altogether one hundred and fifty thousand acres be the same more or less bounded on the north by a due east line of five miles along Crown land commencing at the apex of Valentine's Peak and crossing the old Park Creek the old road leading from Deloraine to Emu Bay and the Blythe River on the east by a due south line of thirteen miles and one half mile also along Crown land crossing the Severn River the Mount Cattley Range part of the Black Range recrossing the aforesaid road and passing thirty-six chains and ninety-five links to the west of the summit of the Rocky Mount on the Black Range aforesaid on the south by a due west line of fourteen miles and one half mile also along Crown land crossing part of the Black Range aforesaid to the Macintosh River and the Huskisson River and passing about one hundred and ten chains to the north of the summit of May Day Mount about one hundred and fifty chains to the north of the summit of Mount Cripps on the west by a due north line of thirteen miles and one half mile also along Crown land passing about one hundred and seventy chains to the west of the summit of Mount Pearse about two hundred and ten chains to the east of the summit of Mount Bischoff and thirty chains and sixty links to the west of the summit of Belmont again on the north by a due east line of three miles and one half mile also along Crown land crossing the Wandle Creek again on the west by a due north line of six miles and thirty-five chains also along Crown land crossing the Hellyer River again on the north by a due east line of six miles also along Crown land extending to the west boundary of the Hampshire Hills Block at a point distant two miles to the south of the north-west angle thereof and thence again on the east by a due south line of six miles and thirty-five chains along part of that block and along Crown land to the point of commencement And also secondly all that block or tract of land situate lying and being in the district known as the Middlesex Plains in the said Island of Van Diemen's Land and containing altogether ten thousand acres be the same more or less bounded on the west by a due north line of three hundred and sixteen chains and twenty-two links along Crown land commencing at a point distant about four hundred and twenty-three chains in an east-south-easterly direction from the south-east angle of the Surrey Hill Block crossing the River Iris and the old road leading from Deloraine to Emu Bay and passing twenty-two chains or thereabouts to the west of Bond's Sugar Loaf on the north by a due east line of three hundred and sixteen chains and twenty-four links also along Crown land crossing the Fall River on the east by a due south line of three hundred and sixteen chains and twenty-two links also along Crown land recrossing the River Iris and the old road aforesaid and thence on the south by a due west line of three

hundred and sixteen chains and twenty-four links also along Crown land to the point of commencement And likewise thirdly all that block or tract of land situate lying and being in the district known as the Hampshire Hills in the said Island of Van Diemen's Land and containing altogether about ten thousand acres be the same more or less bounded on the west by a due north line of three hundred and sixteen chains and twenty-two links along the Surrey Hills Block along Crown land and along the Emu Bay Block commencing at the east boundary of the first-mentioned block at a point distant three hundred and fifty-eight chains and seventy-eight links north of the apex of Valentine's Peak crossing the Loudwater and Guide Rivers on the north by a due east line of three hundred and sixteen chains and twenty-four links along the Emu Bay Block aforesaid and along Crown land crossing the Guide River the old road leading from Deloraine to Emu Bay and the Emu River on the east by a due south line of three hundred and sixteen chains and twenty-two links also along Crown land and thence on the south by a due west line of three hundred and sixteen chains and twenty-four links also along Crown land recrossing the aforesaid road crossing the Lime Stone Creek and recrossing the Emu River aforesaid to the point of commencement And fourthly all that block or tract of land situate lying and being in the district known as Circular Head in our said Island of Van Diemen's Land and containing altogether about twenty thousand acres be the same more or less bounded on the south by a due west line of four hundred and forty-nine chains along Crown land commencing at the Black River and extending to the Deep Creek on the western side by the Deep Creek to Duck Bay thence on the south-western side by Duck Bay to Bass's Straits thence by Bass's Straits and by West Bay and East Bay in those straits to the mouth of the Black River aforesaid and thence on the south-eastern side by that river to the point of commencement And fifthly all that block or tract of land situate lying and being in the district known as Cape Grim or Woolnorth in our said Island of Van Diemen's Land and containing altogether about one hundred thousand acres be the same more or less bounded on the south by a due east line of nine hundred and forty-two chains along Crown land commencing on the western coast at a point thereon distant above sixty-five chains in a south-easterly direction from the north-west extremity of Green Point crossing the Welcome River and extending to the Montagu River on the south eastern side by the last-mentioned river to its junction with Bass's Straits thence on the north-eastern side by Bass's Straits to the western coast aforesaid thence on the western side by that coast to the point of commencement And sixthly all that block or tract of land situate lying and being in the district known as Emu Bay

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in our said Island of Van Diemen's Land and containing altogether about fifty thousand acres be the same more or less bounded on the south-eastern side by the Emu River from Emu Bay in Bass's Straits to the north boundary of the Hampshire Hills Block on the south by a due west line of three hundred and four chains and fifty links along that block crossing the old road leading from Deloraine to Emu Bay and also crossing the Guide River on the east by a due south line of fifty chains also along that block thence again on the south by a due west line of one hundred and thirty chains along Crown land to Saint Mary's River thence on the western side by that river to its junction with the Cam River thence on the north-western side by the last-mentioned river to its junction with Bass's Straits aforesaid and on the north-eastern side by Bass's Straits and Emu Bay to the Emu River aforesaid being the point of commencement And seventhly all that tract of land known by the name of Robbin's Island and containing altogether about twenty-four thousand four hundred and fifty acres be the same more or less situated in and bounded on all sides by Bass's Straits and lying on the northern side of Robbin's Passage and Montagu Island and to the south of Walker's Island and being one of the dependencies of our said Island of Van Diemen's Land And eighthly all that tract of land known by the name of Walker's Island and containing altogether about one thousand seven hundred and twenty acres be the same more or less situated in and bounded on all sides by Bass's Straits and lying to the north of Robbin's Island and being also one of the dependencies of our said Island of Van Diemen's Land And also ninthly all that tract of land known by the name of Trefoil Island and containing altogether about two hundred and fifty-five acres be the same more or less situated at the western extremity of Bass's Straits and lying in a north-easterly direction from Cape Grim in a west-north-westerly direction from Rabbit Island and in a south-westerly direction from the south extremity of Barren or West Hunter Island and being also one of the dependencies of our said Island of Van Diemen's Land Together with all and singular rights royalties members privileges and appurtenances whatsoever to the said lands and hereditaments belonging or in anywise appertaining To have and to hold the said several tracts of land and all and singular the hereditaments and premises hereby granted or intended so to be and every part thereof with the appurtenances unto the said Van Diemen's Land Company their successors and assigns for ever freed and for ever discharged of and from all and every the quitrents conditions provisoes limitations and restrictions in the said Letters Patent or Charter expressed or contained In witness whereof we have caused our trusty and well-beloved Sir William Thomas Denison our Lieutenant-Governor of our said Island of Van Diemen's Land and its

dependencies to affix to these presents the Great Seal of our said Island and its dependencies this twenty-seventh day of July in the year of our Lord one thousand eight hundred and forty-eight and in the twelfth year of our reign. A.D. 1916.

W. DENISON.
Public Seal of Van Diemen's Land and its dependencies affixed.

By His Excellency's command
J. E. BICHENO
Colonial Secretary.

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