



WESTERN AUSTRALIA.

ANNO DECIMO NONO VICTORIÆ REGINÆ.

No. VI.

An Ordinance to enable “The Total Abstinence Society” in Western Australia to raise a sum of £300 on their Land

WHEREAS a Society called “The Total Abstinence Society” has been for some time past established in the Town of Perth, in the Colony of Western Australia, having for its object the encouragement of total abstinence from spirituous and fermented liquors, and whereas the Members of the said Society are desirous of raising the sum of Three hundred pounds on the security of their land and premises situate in the Colony of Western Australia, for the purpose of furthering the objects of the said Society; and

whereas it is expedient that the said Society should receive all reasonable encouragement;—Be it therefore enacted, by His Excellency the Governor of Western Australia and its dependencies, by and with the advice and consent of the Legislative Council thereof:—

I. THAT it shall be lawful for the Trustees or Trustee for the time being of the said Society, in whom the Land and Premises belonging to the said Society are or shall be hereafter vested, with the consent and approbation in writing of the Chairmain for the time being of the said Society, at any time or times hereafter to borrow and take up at interest such sum and sums of money not exceeding in the whole the sum of Three Hundred Pounds, on any such Land and premises, and by a deed or deeds by such Trustee or Trustees duly executed, to mortgage all or any part of such Land and Premises as a security to any person or persons, or his, her, or their Trustee or Trustees, who shall advance such sum or sums of money, and to give any Mortgagee or Mortgagees any power of sale, power of distress, or any other usual and reasonable powers; and their or his receipts or receipt in writing indorsed on any such deed or deeds for any mortgage money shall fully and effectually discharge the person or persons paying the same from responsibility for the application thereof, or for any irregularity attending any such mortgage, and from the duty of inquiring whether any such mortgage is authorised, necessary, or proper.

II. THAT the said Society shall be and they are hereby authorised and empowered by and in the name of their Trustees or Trustee, for the time being, in whom any estate or estates in lands may be vested, at any time or times, with the consent, in writing, of the chairman for the time being of the said Society, to dispose of either by way of sale, or in exchange for other lands in Western Australia, all or any of the Lands and Premises belonging to the said Society, for such price or prices, upon such terms and under such conditions as the said Trustees or Trustee for the time being shall think fit, with power to buy in or rescind any contract for sale or exchange of all or any of the Lands and Premises, and to re-sell and exchange the same, without being responsible for any loss which may be occasioned thereby; and the receipt of the said Trustees or Trustee for the time being for any monies paid to them or him upon any sale or for equality of exchange, shall effectually discharge the person or persons paying the same from being liable

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to see to the application thereof, or from being answerable or accountable for the misapplication or non-application thereof, or of any part thereof; and no purchaser or purchasers of any of the said Land and Premises shall be affected by any irregularity in any such sale or sales, or in consequence of such sale or sales being unauthorised, unnecessary, or improper.

III. THAT the said Trustees or Trustee for the time being of the said Society, with such consent as aforesaid, shall and may lay out the money received upon any such sale, or for equality of exchange in the purchase of freehold hereditaments of inheritance in Western Australia, and shall accept, take, and hold the same hereditaments upon trust for promoting the objects of the said Society.

A. E. KENNEDY,
GOVERNOR AND COMMANDER-IN-CHIEF.

*Passed the Legislative Council this }
9th day of June, 1856. }*

HENRY WAKEFORD,
Clerk of the Council.