



ANNO QUARTO

GEORGI VI REGIS.

A.D. 1940.

No. 51 of 1940.

An Act to authorize the trustees of the fund known as The Strathalbyn Soldiers Memorial Gardens Endowment Fund to pay over moneys in the said fund to the Corporation of the Town of Strathalbyn, and for purposes incidental thereto.

[Assented to 28th November, 1940.]

Preamble.

WHEREAS by a declaration of trust by deed dated the seventeenth day of December, nineteen hundred and twenty-three, Sir John Lancelot Stirling, Joseph William Elliott, James Bell, Henry Harper Formby, William Frank Adams, Horace James Webb, and Norman David Richardson did declare that they held the sum of one thousand four hundred and ninety-two pounds and all other moneys which they should thereafter receive or be paid to them for the purpose upon trust to apply the income and, if necessary, any part of the capital sum in and for maintaining as a memorial to soldiers from Strathalbyn and the surrounding neighbourhood or district who took part or died in the Great War the gardens known as The Soldiers Memorial Gardens situated on park lands within the town of Strathalbyn: AND WHEREAS the income from the said trust funds is now insufficient to provide for the proper maintenance of the said gardens: AND WHEREAS the trustees for the time being of the said trust fund and the Corporation of the Town of Strathalbyn are desirous that the said trust funds be paid over to the said Corporation so that the income thereof may be applied for the maintenance of the said gardens: NOW THEREFORE BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. This Act may be cited as the "Strathalbyn Soldiers' Memorial Gardens Act, 1940".

2. In this Act—

Interpretation.

“ council ” means the municipal council of the Corporation of the Town of Strathalbyn :

“ the trust fund ” means the balance remaining of the said sum of one thousand four hundred and ninety-two pounds and of all other moneys received or paid to the trustees for the purpose of The Soldiers' Memorial Gardens aforesaid and all interest accrued thereon :

“ the trustees ” means the persons for the time being acting as the trustees of the trust fund.

3. (1) The trustees or any two of them may transfer and pay over to the council the whole of the trust fund.

Power to pay over trust fund to council.

(2) Upon transfer and payment as aforesaid the trustees shall be discharged from all subsequent liability in respect of the trust fund.

4. The council shall hold the trust fund upon trust to apply the whole of the income thereof in maintaining the Soldiers' Memorial Gardens aforesaid.

Trusts upon which council to apply fund.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. M. BARCLAY-HARVEY, Governor.