



ANNO DECIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1966

No. 68 of 1966

An Act to enact certain provisions respecting certain trust land situate in or near Rowland Flat held upon certain trusts and to vest the same in Rowland Flat War Memorial Hall Incorporated and for purposes incidental thereto.

[Assented to 24th November, 1966.]

WHEREAS by an indenture dated the second day of May One thousand eight hundred and fifty-nine made between John Sandland of the one part and John McIntyre Samuel Thomas Samuel Sands James Milget and Samuel Potter of the other part Registered No. 214 Book 153 the said John Sandland did for the consideration therein mentioned grant bargain sell and release unto the said John McIntyre Samuel Thomas Samuel Sands James Milget and Samuel Potter the piece of land and hereditaments thereinafter particularly described to hold the same with the appurtenances unto and to the use of the said John McIntyre Samuel Thomas Samuel Sands James Milget and Samuel Potter their heirs and assigns for ever upon and for the trusts and purposes and subject to the powers provisoes and agreements in the said indenture declared and contained : AND WHEREAS by an indenture dated the tenth day of November One thousand eight hundred and ninety-one made between the said Samuel Thomas Samuel Sands James Milgate (sometimes called Milget) and Samuel Potter of the first part and John William Thomas James Potter Milgate David Kennedy the younger Hugh Kennedy and Edwin Springbett of the second part Registered No. 161 Book 411 the said John William Thomas James Potter Milgate David Kennedy Hugh Kennedy and Edwin Springbett were appointed as the trustees of and under

Preamble.

the said firstly recited indenture : AND WHEREAS by an indenture dated the first day of December One thousand nine hundred and twenty-six made between the said John William Thomas David Kennedy and Hugh Kennedy of the first part and Carl August Eduard Zerk Louis Hugo Gramp Richard Alfred Gramp Friedrich Wilhelm Altmann and Robert George Haese of the second part Registered No. 90 Book 496 the said Carl August Eduard Zerk Louis Hugo Gramp Richard Alfred Gramp Friedrich Wilhelm Altmann and Robert George Haese were appointed as the trustees of and under the said firstly recited indenture : AND WHEREAS the said Richard Alfred Gramp and Robert George Haese being the surviving trustees are now the registered proprietors of the piece of land in the said firstly recited indenture described which piece of land was vested in them pursuant to the Real Property (Registration of Titles) Act 1945 (Search Number 2478) and is held by them upon and for the trusts and purposes and subject to the powers provisoes and agreements in the said firstly recited indenture declared and contained so far as the same are now subsisting and capable of taking effect : AND WHEREAS the said land so held comprises that piece of land situate in the Hundred of Barossa County of Adelaide being portion of Section 2703 being the whole of the land comprised and described in Certificate of Title Register Book Volume 3291 Folio 132 together with the right of way in the said Certificate of Title described : AND WHEREAS the purposes of the trusts declared by the said firstly recited indenture are to allow any building on the said land to be used as and for a Chapel for the celebration of Religious Worship as thereafter mentioned and to permit such minister or ministers of Religion belonging to any Christian sect or denomination whatsoever as the trustees or the majority of them should from time to time appoint to preach and perform religious worship therein and to permit any of the said buildings to be also used as and for a schoolroom for the education of young persons and to permit any of the said land not otherwise used to be used as and for a cemetery or burial ground or to permit the use of the land not otherwise used to be used as a site or sites for a dwelling house or dwelling houses for the use and residence of the Minister and the master and mistress of the school and any officer officers servant or servants AND it is further declared that the trustees shall prevent the premises or any part thereof from being used or occupied in any other manner than is provided for by the said firstly recited indenture : AND WHEREAS the said land has not so far been used for any of the purposes of the trusts upon which the same is held and it is considered expedient and desirable that the said land shall be used as the site for a War Memorial for the purposes and objects of Rowland Flat War Memorial Hall Incorporated an

Association duly incorporated under the Associations Incorporation Act 1956-1965 and it is desired to vest the said land in the said Association for the said purposes: AND WHEREAS the trustees are unable to divest themselves of the said land or otherwise dispose thereof and the said Certificate of Title bears an endorsement by the Registrar-General to that effect: AND WHEREAS it is desired to have the said land vested in the said Association to be held by it as a site for a War Memorial for the purposes of the said Association as aforesaid.

BE IT THEREFORE ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Rowland Flat War Memorial Hall Incorporated Act, 1966". Short title.

2. In this Act, unless the context otherwise requires— Interpretation.

"the Association" means Rowland Flat War Memorial Hall Incorporated:

"the indenture" means the indenture dated the second day of May One thousand eight hundred and fifty-nine more particularly described in the preamble to this Act:

"the trustees" means the said Richard Alfred Gramp and Robert George Haese:

"trust land" means the whole of the land comprised and described in Certificate of Title Register Book Volume 3291 Folio 132 together with the right of way in the said Certificate of Title described.

3. The trust land is by virtue of this Act and without any further or other assurance vested in the Association for an estate in fee simple. The Registrar-General shall make such entries in the Register Book as are necessary to evidence the title of the Association to the trust land. Vesting of trust land in Rowland Flat War Memorial Hall Incorporated.

4. The Association shall hold and deal with the trust land as a site for a War Memorial for the purposes and objects of the Association as set forth in the rules of incorporation thereof. Association to hold land for purposes and objects of Association.

Trustees
freed from
trusts and
obligations.

5. From and after the commencement of this Act the trustees shall be freed and discharged from all the trusts and conditions in the indenture contained and from all their obligations under the indenture in relation to the trust land.

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

EDRIC BASTYAN, Governor.