



ANNO VICESIMO

GEORGII V REGIS.

A.D. 1929.

Private Act.

An Act to incorporate the Leigh Trust, and for other purposes.

[*Assented to, December 4th, 1929.*]

WHEREAS by a certain Indenture (hereinafter referred to as "the Preamble. said Indenture of Conveyance") made the 6th day of April 1840 between William Leigh of Little Aston Hall near Litchfield in the County of Stafford in England Esquire of the one part and The Society for the Propagation of the Gospel in Foreign Parts incorporated by the Charter of His late Majesty King William the Third of the other part, after reciting that a Committee (hereinafter referred to as "the said Branch Committee") of the said Society had been formed under the name and style and for the purposes and consisting of the several persons mentioned in a certain statement or prospectus issued by such Committee and which is set forth in the said Indenture of Conveyance, and also reciting that the said William Leigh was then seized of or entitled for an estate of inheritance in fee simple in possession free from incumbrances of or to the lands and hereditaments thereafter described and thereby released or otherwise assured or intended so to be with the appurtenances, and also reciting that the said William Leigh being minded and desirous to promote the laudable objects of the said Branch Committee as thereafter mentioned and declared had with that view determined to make an absolute gift or donation of the said lands and hereditaments thereafter described with the appurtenances to the said Society and their successors in manner thereafter mentioned, it was witnessed that in pursuance of such determination and in consideration of the premises and for divers other good causes and considerations him the said William Leigh thereunto moving

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moving and also in consideration of Ten Shillings paid by the said Society to the said William Leigh on the execution of the said Indenture of Conveyance he the said William Leigh had granted bargained sold and released and by the said Indenture of Conveyance did grant bargain sell and release unto the said Society their successors and assigns All those the two Town Acres in the City of Adelaide in the State (then Province) of South Australia known or distinguished on the map of the said City by the numbers 76 and 111 together with all and singular the buildings and erections thereon or on any part thereof and all ways waters watercourses paths passages easements trees woods underwoods mounds fences profits privileges advantages rights members and appurtenances to the said lands and premises belonging or in any wise appertaining and the reversion and reversions remainder and remainders yearly and other rents issues and profits of the said lands and premises and every part thereof and all the estate right title interest benefit claim and demand whatsoever both at law and in equity of him the said William Leigh in to out of or upon the said lands and premises (hereinafter called "the said two Town Acres") and also all deeds muniments and evidences of title in his custody or power relating to the said premises, to have and to hold the said lands hereditaments and premises thereby released or otherwise assured or intended so to be with the appurtenances unto the said Society their successors and assigns for ever to the use of the said Society their successors and assigns for ever subject to such lease or leases tenancy or tenancies and such contracts arrangements stipulations and conditions as are in the said Indenture of Conveyance referred to, upon trust and to the intent that the said Society their successors and assigns might use appropriate apply and dispose of the said lands hereditaments and premises thereby released or otherwise assured or intended so to be with the appurtenances and the rents issues and profits thereof in the first place in defraying all necessary costs and charges which the said Society their successors and assigns might incur or be put unto in the execution of the trusts thereby in them reposed, and subject thereto for or towards the maintenance support and endowment of any clergyman or clergymen in holy orders of the United Church of England and Ireland duly appointed to officiate and officiating in the said State (then Province) of South Australia, and for or towards the building or repairing of any church or churches in the said State (then Province) wherein the service ritual and ceremonies of the said United Church of England and Ireland might be duly observed and performed, and for or towards the building and endowment of any parochial or district school or schools in connexion with the United Church of England and Ireland, and for or towards the conversion of the aborigines to the Christian faith in accordance with the doctrines of the said Church, in such sum or sums shares and proportions manner and form in all respects as the said Branch Committee for the time being of the said Society should at any time or from time to time order and direct And whereas on the fifteenth day of May One thousand eight hundred and forty-one George Gawler Esquire Commissioner of Public Lands resident in the said State (then Province) of South Australia
by

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by Land Grant under his hand and seal for the consideration therein mentioned did grant unto the said Society all that one acre Section of Town Land numbered "76" in the Provincial Survey marked with the letter A and delineated in the plan in the margin thereof (being the Town Acre number 76 hereinbefore referred to) together with all timber minerals and appurtenances to hold unto the said Society their successors and assigns for ever And whereas the following memorandum is written at the foot of the said Land Grant (that is to say) "This Second Grant is issued in consequence of the original having been destroyed by fire. The money herein mentioned was duly paid to the Treasurer" and such memorandum is signed by "Chas. Sturt Asst. Commissioner" And whereas the said Land Grant is registered in the said Registry Office No. 239 Book 1 Page 242 And whereas on the fifteenth day of May One thousand eight hundred and forty-one the said George Gawler Esquire Commissioner of Public Lands resident in the said State (then Province) of South Australia by Land Grant under his hand and seal for the consideration therein mentioned did grant unto the said Society all that one acre Section of Town Land numbered "111" in the Provincial Survey marked with the letter A and delineated in the plan in the margin thereof (being the Town Acre number 111 hereinbefore referred to) together with all timber minerals and appurtenances to hold unto the said Society their successors and assigns for ever And whereas the following memorandum is written at the foot of the lastmentioned Land Grant (that is to say) "This Second Grant was issued in consequence of the original having been destroyed by fire. The money herein mentioned was duly paid to the Treasurer" and such memorandum is signed by "Chas. Sturt Asst. Commissioner" And whereas the lastmentioned Land Grant is registered in the said Registry Office No. 240 Book 1 Page 243 And whereas at a meeting of the said Society held on the 21st day of May 1841 a resolution passed by the said Branch Committee proposing to transfer their business engagements and funds to the said Society was read and it was resolved that such proposal be accepted And whereas the said Society has since the year 1840 been and still is in possession of the said two Town Acres as the sole owner thereof And whereas the said Society is also the sole owner of the other lands particulars whereof are set forth in the First Part of the Schedule hereto all of which lastmentioned other lands are situate in the State of South Australia and are hereinafter together referred to as "the said scheduled lands" And whereas none of the said scheduled lands are subject to any trust And whereas the said Society is also the registered proprietor of estates as Mortgagee under and by virtue of the respective Memoranda of Mortgage particulars whereof are set forth in the Second Part of the said Schedule hereto all of which lastmentioned estates as mortgagee are hereinafter together referred to as "the said scheduled mortgages" And whereas the management and control of the said two Town Acres and of all other the estate and property whatsoever both real and personal of the said Society in the State (formerly the Province) of South Australia and of the rents and income thereof respectively has from time to time

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time by power of attorney been delegated by the said Society to certain persons in the said State And whereas the present attorneys of the said Society in the State of South Australia are The Right Reverend Arthur Nutter Thomas M.A., D.D. of Bishops Court North Adelaide in the said State Bishop of the Diocese of Adelaide The Very Reverend George Edward Young of Buxton Street North Adelaide aforesaid Dean of Adelaide Whitmore Blake Carr of Part-ridge Street Glenelg in the said State Sharebroker and Percy Emerson Johnstone B.A., LL.B. of Hewitt Avenue Rose Park in the said State Solicitor who are acting as such Attorneys as last aforesaid under or by virtue of the provisions of a certain power of attorney executed by the said Society under its common seal on the thirteenth day of April One thousand eight hundred and eighty-seven and which is registered in the said Registry Office No. 76 Book 385 And whereas the said Society is desirous that the said two Town Acres and the said scheduled lands and the said scheduled mortgages and all other the estate and property whatsoever both real and personal of the said Society in the State of South Australia shall be vested in a body corporate to be constituted by or under an Act of the Parliament of the said State and that such Act shall declare the trusts upon which the said two Town Acres and the said scheduled lands and the said scheduled mortgages and the said other estate and property shall as from the date of the passing thereof be held by such body corporate:

Be it therefore enacted by the Governor of the State of South Australia with the advice and consent of the Parliament thereof as follows :

Preliminary.

Short title.

1. This Act may be cited as the "Leigh Trust Incorporation Act 1929."

Interpretation.

2. In this Act unless inconsistent with the context or some other meaning is clearly intended—

"Church of England" means the Church formerly styled or known as the "United Church of England and Ireland" but now styled or known as the "Church of England in Australia and Tasmania" as such Church is now or may at any time hereafter be constituted and by whatsoever name it may hereafter be known :

"The said Society" means "The Society for the Propagation of the Gospel in Foreign Parts" hereinbefore referred to :

"The Synod" means the body which has been incorporated under "The Associations Incorporation Act 1858" by the name of "The Synod of the Church of England in the Diocese of Adelaide Incorporated" :

"The Trust" means the "Leigh Trust" as incorporated by this Act :

"Trustees" means and includes the abovenamed Arthur Nutter Thomas George Edward Young Whitmore Blake Carr

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Carr and Percy Emerson Johnstone and all other the trustees appointed under or in pursuance of the provisions of this Act :

“ Officers ” includes managers, submanagers, superintendents, inspectors, solicitors, attorneys, agents, clerks, servants, and all persons considered by the Trustees to be necessary for the purposes of The Trust or for or in connection with the management conduct or control of its business or affairs :

“ The trust property ” means and includes as well the said two Town Acres in the City of Adelaide numbered 76 and 111 respectively, as also “ the said scheduled lands ” hereinbefore referred to and “ the said scheduled mortgages ” hereinbefore referred to, and also all other the estate and property whatsoever both real and personal in the State of South Australia of which the said Society is the owner or to which it is entitled at the date of the passing of this Act, and also all other estate and property whatsoever and wheresoever both real and personal which may hereafter be given bequeathed devised transferred or assigned to, or purchased or accepted by, or settled or disposed of in favour of or in any other manner whatsoever acquired by the Trust.

Incorporation.

3. The Trustees shall be and are hereby constituted and declared to be one body corporate by the name of “ Leigh Trust ”, and by that name shall have perpetual succession and a common seal, and shall and may sue and be sued and implead and be impleaded, and do all acts as natural persons may, and shall manage and control The Trust and its business and affairs and the trust property, with the fullest power and authority to break alter or vary such seal and to purchase, accept, acquire, hold, mortgage, let, lease, demise, sell, exchange, transfer, convey, assign, alienate, dispose of and deal with real and personal property, and to exercise all the powers and functions whatsoever of a body corporate. Incorporation.

Vesting of Property.

4. The said two Town Acres in the City of Adelaide numbered 76 and 111 respectively, and also the said scheduled lands hereinbefore referred to and the said scheduled mortgages hereinbefore referred to, and also all other the estate and property whatsoever both real and personal in the State of South Australia of which the said Society is the owner or to which it is entitled at the date of the passing of this Act (all of which are hereinafter designated by and included in the expression “ the property hereby vested in The Trust ”) shall from and after such last-mentioned date and by force and virtue of this Act and without any other conveyance transfer assignment or assurance vest in The Trust as the sole and absolute owner thereof subject, however, to all leases, tenancies, mortgages, Vesting of property.

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mortgages, incumbrances, rights of way, rights to light, rights to air, and other easements at the date of the passing of this Act subsisting over or in respect of or otherwise affecting, and to all contracts and agreements at any time prior to the date of the passing of this Act made or entered into by the Attorneys for the time being of the said Society with regard to or in respect of, the property hereby vested in The Trust, or any part or parts thereof, and subject also to the powers duties and obligations given conferred or imposed by this Act.

Trusts and Powers.

Trusts.

5. The trust property and the investments and securities for the time being representing the same or any part or parts thereof and the rents profits dividends and income thereof respectively, shall (notwithstanding anything in the said Indenture of Conveyance contained) be held by The Trust upon trust to use apply and expend the same, or such portion or portions thereof respectively as the Trustees may at any time or from time to time think fit, or to permit the same or such portion or portions thereof respectively as last aforesaid to be used applied and expended, for or towards all or any of the following objects or purposes, that is to say—

- (1) for or towards the maintenance, support, endowment, superannuation, pensioning, relief or benefit of any clergyman or clergymen in holy orders of the Church of England who has or have been or may hereafter be duly appointed to officiate, and who has or have officiated or may hereafter officiate, within or at any place or places within the Province or State of South Australia, whatsoever the geographical limits of the said Province or State may have been or may be at the time of his or their said appointment:
- (2) for or towards the building, erection, furnishing, equipment, repairing, renovating, maintenance, support and endowment of any church or churches, mission hall or mission halls, or other building or buildings or erection or erections, which is or are or may be or be intended to be situate within the present or any future geographical limits of the State of South Australia, and in which the service ritual and ceremonies of the Church of England are or may be or be intended to be duly observed and performed:
- (3) for or towards the building, erection, furnishing, equipment, repairing, renovating, maintenance, support and endowment of any parochial or district or collegiate or other school or schools, or hall or halls, or rectory or rectories, which are or may be or be intended to be situate within the present or any future geographical limits of the State of South Australia, and in which religious instruction in accordance with the tenets or doctrines of the Church of England may be or be intended to be given or which are or are intended to be carried on or used for the purposes

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purposes of or in connection with any such church or churches, or mission hall or mission halls, as are mentioned in the last preceding subsection hereof :

- (4) for or towards the building, erection, furnishing, equipment, repairing, renovating, maintenance, support and endowment of any other building or buildings, or erection or erections, which are or are intended to be situate within the present or any future geographical limits of the State of South Australia and which are, or when built and erected will be or become the property of The Trust :
- (5) for or towards the conversion of any of the aboriginal inhabitants of the Commonwealth of Australia to the Christian faith in accordance with the tenets or doctrines of the Church of England :
- (6) for or towards the maintenance, support and endowment of any religious, philanthropic, educational or charitable organisation, association, mission, society or institution which carries on or may carry on its business or operations within the present or any future geographical limits of the State of South Australia (whether or not it also carries on its business or operations elsewhere) and which in the opinion of the Trustees is substantially a Church of England organisation, association, mission, society, or institution, or the chaplain of which for the time being is a clergyman of the Church of England :
- (7) for or towards the payment of any costs charges and expenses incurred or to be incurred by The Trust or the Trustees or any of them in or about the execution performance or exercise of the trusts duties obligations or powers vested in or imposed or conferred upon it or them under or in pursuance of the provisions of this Act :
- (8) for or towards such other objects or purposes as the Synod may from time to time with the approval of the Trustees determine.

6. The Trust may accept any property which may be given bequeathed devised transferred or assigned to it, or otherwise settled or disposed of in its favor, or offered to it, whether such property or the gift, bequest, devise, transfer or assignment of it to, or other settlement or disposition of it in favour of or the offer of it to The Trust is or is not subject to any special direction, limitation, or condition Provided however that The Trust shall not accept any property subject to any special direction, limitation, or condition if such direction, limitation, or condition shall in the opinion of the Trustees be inconsistent with any of the trusts objects or purposes set forth in section 5 of this Act And provided further that no law of mortmain or law relating to the disposition of property for charitable purposes shall operate or be construed as operating to invalidate any gift, bequest, devise, transfer, assignment or other settlement or disposition of property to or in favour of The Trust.

Property may be accepted.

7. The

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Power to apply to Court for advice or direction.

7. The Trust or any two or more of the Trustees may apply to the Supreme Court or a Judge thereof by originating summons for advice or direction as to any matters connected with the management or administration of the trust property or of the business or affairs of The Trust, or the construction of this Act, or any deed or document relating to or affecting The Trust or the trust property, in like manner as any unincorporated trustee, and the proceedings upon or relating to such application, and any judgment or order made thereon, shall be the same and have the same effect as if such application were made by an unincorporated trustee.

Investments.

8. The Trust may invest its moneys or trust funds, or any portion or portions thereof, in the purchase of real estate in any State or States of the Commonwealth of Australia, or in or upon any investments or securities for the time being authorised by the laws of the Commonwealth of Australia or by the laws of any State or States thereof, or by the laws of Great Britain or England, for the investment of trust funds, and may transpose and vary such investments and securities as may by the Trustees be thought desirable into or for any other or others of the same or a like nature Provided always that the Trust may retain and renew or extend from time to time any investment or security.

Powers regarding the trust property.

9. The Trust may hold, mortgage, let, lease, demise, sell, exchange, transfer, convey, assign, alienate, dispose of and generally deal with the trust property or any portion or portions thereof.

Power to take lands on lease or tenancy.

10. The Trust may take any freehold or leasehold lands upon lease or tenancy for any period or periods of time, and at such rent, and upon and subject to such covenants, agreements, terms, provisoes, and conditions in all respects as the Trustees shall think proper.

Management.

Management by trustees.

11. The Trust shall be managed by not less than four Trustees, who shall have sole management and control of the same, and of the business and affairs thereof, and may execute, perform, and exercise all trusts, duties, obligations and powers in the name and on behalf of The Trust. The Bishop for the time being of the Diocese of Adelaide shall be one of the Trustees without appointment by the Synod under the provisions of Section 16 of this Act. If the number of trustees at any time shall be divisible by the number two one-half of the Trustees shall be clergymen in holy orders in the Church of England one of whom shall be the Bishop for the time being of the Diocese of Adelaide and the other trustees shall be laymen. If the number of trustees at any time shall not be divisible by the number two one of the Trustees may be either a clergyman in holy orders in the Church of England or a layman and the other trustees shall consist of equal numbers of clergymen in holy orders in the Church of England one of whom shall be the Bishop for the time being of the Diocese of Adelaide and of laymen.

12. The

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12. The Trustees shall hold office subject to the provisions of this Act, and the first trustees shall be the said Arthur Nutter Thomas, George Edward Young, Whitmore Blake Carr and Percy Emerson Johnstone.

Tenure of office
First Trustees.

13. The Trustees may at a special meeting, duly convened and specifying the general objects thereof, by a resolution passed by an absolute majority of the Trustees remove any trustee from office.

Removal of trustee.

14. Any trustee may at any time resign his office by giving notice in writing to The Trust, which notice (in addition and without prejudice to any other mode in which the same may be lawfully given) may be given by delivering the same to the Secretary of The Trust, or leaving the same at the office in Adelaide of The Trust, and the office of such trustee shall be considered as vacant on the acceptance of his resignation by the Trustees and not before.

Resignation of
trustee.

15. The Trustees may from time to time by a resolution unanimously passed at a special meeting, duly convened and specifying the general object thereof, increase the number for the time being of trustees to any number not exceeding seven, and may from time to time by a like resolution decrease the number for the time being of trustees to any number not less than four; and if at the time when any resolution decreasing the number of trustees is passed there shall be in office more trustees than the number to which it is resolved that they shall be decreased then the trustee or trustees to retire from office shall in the absence of agreement between all the Trustees for the time being and subject to the provisions of Section 11 of this Act be determined by lot.

Increase and
decrease in number
of trustees.

16. Upon any vacancy occurring in the number of trustees by removal pursuant to section 13 of this Act, or by death, or resignation, or by reason of any trustee being unwilling or incapable to act as such, or if the number of trustees shall be increased pursuant to section 15 of this Act, a new trustee or trustees (as the case may be) shall be appointed by The Synod provided that no person shall be eligible for appointment as a trustee unless he is a member of the Church of England Provided further that the trustees for the time being, when their number shall from any cause be three or less, shall forthwith appoint one or more persons to act as a trustee or trustees (as the case may be) until the appointment of a new trustee or trustees (as the case may be) by The Synod, and such person or persons shall cease to act as a trustee or trustees on such appointment as last aforesaid being made by The Synod Provided further that the provisions of section 11 of this Act shall be observed in all appointments of new trustees whether the same shall be made by The Synod or by the Trustees for the time being.

Appointment of
new trustees.

17. The Trustees may from time to time appoint any of the members of their body to be a Committee for any purpose to be defined in the resolution of appointment, and may delegate all or

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any of their powers (except the powers conferred by sections 13, 15 and 16 respectively of this Act to such Committee, and fix the quorum thereof, and cancel such appointment, and revoke all or any of the powers so delegated, and every such Committee shall in the exercise of its powers conform to any rules that may be imposed on it by the Trustees.

Validation of proceedings at meetings.

18. No act or proceeding of The Trust shall be invalidated or illegal in consequence only of the number of the trustees at any meeting not being complete at the time of such act or proceeding. All acts and proceedings of any meeting of the Trustees, or of any Committee, shall, notwithstanding that it shall be afterwards discovered that there was some defect in the appointment of the Trustees, or of any of them or of the Committee, or of some person acting thereon, or of any chairman, that such appointment was improper or illegal, be as valid as if the appointment had been duly, properly and legally made.

Minutes to be kept.

19. The Trustees shall cause minutes to be kept of the proceedings at all meetings of the Trustees, and of all meetings of any Committee, and such minutes, if signed by any person purporting to be the chairman of the meeting, or of any subsequent meeting, shall be conclusive evidence of all matters therein stated, and that the meeting was duly convened and held, and the validity of the proceedings shall not be impeached on any ground not appearing on the face of the minutes themselves.

Secretary and officers.

20. The Trustees shall appoint a secretary, and may appoint all such other officers as they may consider necessary.

Remuneration of the trustees and of committees.

21. The Trustees shall be paid out of the trust property by way of remuneration for their services such sum or sums as The Synod may from time to time determine. The members of any Committee shall be paid out of the trust property by way of remuneration for their services such sum or sums (if any) as the Trustees may from time to time determine.

Seal.

22. The common seal of The Trust shall not be used except by the authority of the Trustees, and all documents to which the seal shall be affixed shall be signed by at least two of the Trustees and countersigned by the secretary or some other person appointed by the Trustees, and any document so executed shall be deemed to have been duly executed by The Trust for all purposes whatsoever.

Power to make rules.

23. The Trustees may make, repeal, add to, amend, alter or vary any rules not inconsistent with this Act for the purpose of prescribing the mode of summoning and conducting meetings of the Trustees, the mode of summoning and conducting meetings of Committees, the voting and proceedings at any such meetings and the quorum thereof, the duties of the secretary and officers, and generally

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generally for the management control and administration of The Trust, and of its business and affairs, and of the trust property, and for carrying this Act into effect. All such rules shall have the common seal of The Trust affixed thereto, and a copy thereof, signed by the chairman of the meeting at which the same were passed, or by the chairman for the time being of the Trustees, and having the common seal of The Trust affixed thereto shall be deposited with the Registrar of Companies and the said rules, or the copy deposited, or a copy of such deposited copy, certified by the Registrar of Companies as correct shall, on production, and without further proof, be conclusive evidence of such rules and that the same were duly made. There shall be paid to the Registrar of Companies the sum of Five Shillings in respect of every document deposited with him under this Act.

24. Until rules shall be made pursuant to the last preceding section of this Act dealing with the matters next hereinafter mentioned, the following rules shall be observed :—

- (1) The Trustees shall elect one of their own body to be chairman, and such chairman shall hold office for so long as the Trustees shall at the time of his election or subsequently at any time or from time to time determine.
- (2) Each Committee consisting of two or more members shall elect one of its own body to be Chairman, and such Chairman shall hold office for so long as such Committee shall at the time of his election or subsequently at any time or from time to time determine.
- (3) A meeting of the Trustees or of any Committee shall be deemed to be duly convened if summoned by the secretary of The Trust or by the chairman for the time being of the Trustees or of such Committee (as the case may be), or by any two of the Trustees, by notice in writing specifying the place, day, and hour of meeting and, in the case of a special meeting, specifying in addition the general nature of the business to be transacted thereat, addressed and delivered or posted to each of the Trustees or to each member of such Committee (as the case may be) at his usual or last known place of business or residence in South Australia two days at least before the appointed day of meeting.
- (4) Any meeting of the Trustees, or of any Committee, may adjourn from time to time as it may think fit.
- (5) At every meeting of the Trustees two shall form a quorum.
- (6) At every meeting of a Committee consisting of two or more members (unless otherwise fixed by the Trustees) two shall form a quorum.
- (7) At every meeting of the Trustees the chairman, or in his absence some other trustee to be chosen by those present, shall preside, and in addition to his ordinary deliberative
vote

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vote he shall have an additional or casting vote, and every question shall be decided by a majority of the votes of the persons voting thereon.

- (8) At every meeting of a Committee the chairman, or in his absence some other members of such Committee to be chosen by those present, shall preside.

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

A. HORE-RUTHVEN, Governor.

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SCHEDULE HEREINBEFORE REFERRED TO.

FIRST PART.

1. ALL THOSE sections of land containing 160 acres be the same more or less and numbered 3016 and 3017 situated in the Hundred of Yatala County of Adelaide being the whole of the land comprised in Land Grant registered in the Registry Office for the State of South Australia No. 17 Book 12 subject to the exceptions reservations and conditions set forth in the said Land Grant.

2. ALL THAT section of land containing Eighty acres be the same more or less numbered 3015 situated in the Hundred of Yatala County of Adelaide being the whole of the land comprised in Land Grant registered in the Registry Office for the said State No. 103 Book 256 subject to the exceptions reservations and conditions set forth in the said Land Grant.

3. ALL THAT section of land containing Eighty acres be the same more or less and numbered 3018 situated in the Hundred of Yatala County of Adelaide being the whole of the land comprised in Land Grant registered in the Registry Office for the said State No. 210 Book 158.

4. THAT section of land situated in Blanche Town County of Eyre Nod. 57 containing two roods or thereabouts and being the whole of the land comprised in Certificate of Title Register Book Volume CCCII Folio 17.

5. THAT section of land situated in the Township of Goolwa County of Hindmarsh No. 121 containing one rood or thereabouts and being the whole of the land comprised in Certificate of Title Register Book Volume CCCII Folio 18.

6. THAT piece of land situated in the Hundred of Munno Para County of Adelaide comprising the allotment 149 and portions of the allotments 144 and 146 of portion of the section 3165 laid out as Smithfield which said piece of land contains two roods or thereabouts and is the whole of the land comprised in Certificate of Title Register Book Volume CCCX Folio 35.

7. THAT piece of land situated in the City of Adelaide being the Town Acre numbered 598 and being the whole of the land comprised in Certificate of Title Register Book Volume DXXIII Folio 192 subject to Memorandum of Lease registered Number 569785.

8. THAT piece of land situated in the Hundred of Pirie County of Victoria being the Allotment No. 210 containing fourteen perches or thereabouts of the section 18 laid out as Port Pirie West Extension and being the whole of the land comprised in Certificate of Title Register Book Volume DXXIV Folio 136.

9. THAT piece of land situated in the City of Adelaide being portion of Town Acres 713 and 714 which said piece of land contains one rood and thirteen perches or thereabouts and is the whole of the land comprised in Certificate of Title Register Book Volume 551 Folio 41 Together with and subject to such rights as are mentioned in the said Certificate of Title.

10. THOSE sections of land situated in the Township of Port Augusta West County of Manchester Nod. 233 containing thirty-four perches or thereabouts 234 containing thirty-three perches or thereabouts and 248 containing thirty-six perches or thereabouts and being the whole of the land comprised in Certificate of Title Register Book Volume 707 Folio 132.

11. THAT section of land situated in the Township of Port Augusta West County of Manchester Nod. 258 containing thirty-five perches or thereabouts and being the whole of the land comprised in Certificate of Title Register Book Volume 707 Folio 133.

12. THAT section of land situated in the Town of Cockburn Nod. 44 containing one rood or thereabouts and being the whole of the land comprised in Certificate of Title Register Book Volume 852 Folio 121.

13. THOSE sections of land situated in the Township of Port Augusta West County of Manchester Nod. 247 containing one rood or thereabouts and 263 containing twenty-nine perches or thereabouts and being the whole of the land comprised in Certificate of Title Register Book Volume 1102 Folio 108.

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SECOND PART.

1. An estate as Mortgagee under and by virtue of Memorandum of Mortgage Registered Number 960494 over the whole of the land comprised in Certificate of Title Register Book Volume 1150 Folio 53 except and reserved as is in the said Certificate of Title excepted and reserved to secure the sum of Two Thousand Three Hundred Pounds and interest in manner provided in the said Memorandum of Mortgage Registered Number 960494.

2. An estate as Mortgagee under and by virtue of Memorandum of Mortgage Registered Number 1005924 over the whole of the land comprised in Certificate of Title Register Book Volume 1150 Folio 54 except and reserved as is in the said Certificate of Title excepted and reserved to secure the sum of Two Thousand Five Hundred Pounds and interest in manner provided in the said Memorandum of Mortgage Registered Number 1005924.

3. An estate as Mortgagee under and by virtue of Memorandum of Mortgage Registered Number 1018652 over the whole of the land comprised in Certificates of Title Register Book Volume 682 Folio 59 and Volume 1296 Folio 43 Together with the respective rights of way mentioned in the said Certificate of Title to secure the sum of Seven Hundred and Fifty Pounds and interest in manner provided in the said Memorandum of Mortgage Registered Number 1018652.

4. An estate as Mortgagee under and by virtue of Memoranda of Mortgage Registered respectively Numbers 1005927, 1021943 and 1057788 over the whole of the land comprised in Land Grant Register Book Volume 888 Folio 65 except and reserved as is in the said Land Grant excepted and reserved to secure the total sum of Two Thousand Six Hundred and Seventy-five Pounds and interest in manner provided in the said Memoranda of Mortgage Registered Numbers 1005927, 1021943 and 1057788.

5. An estate as Mortgagee under and by virtue of Memorandum of Mortgage Registered Number 1072532 over the whole of the land comprised in Land Grant Register Book Volume XXIX Folio 140 and Certificates of Title Register Book Volume LVIII. Folio 126 and Volume DXXIX Folio 158 to secure the sum of One Thousand Five Hundred Pounds and interest in manner provided in the said Memorandum of Mortgage Registered Number 1072532.