



ANNO VICESIMO SECUNDO

GEORGII V REGIS.

A.D. 1931.

Private Act.

An Act to provide for the temporal affairs of The
Salvation Army in the State of South Australia.

[*Assented to, December 2nd, 1931.*]

WHEREAS by a Deed Poll (hereinafter called the "Deed of Constitution") dated the seventh day of August One thousand eight hundred and seventy-eight and under the hand and seal of William Booth and afterwards enrolled in the Chancery Division of the High Court of Justice England on the thirteenth day of August one thousand eight hundred and seventy-eight the origin and doctrines of the religious society or organisation therein referred to then known as the Christian Mission were recited and stated and it was by the said Deed of Constitution amongst other things provided that the said Christian Mission was and should be always thereafter under the oversight direction and control of some one person who should be the General Superintendent thereof whose duty it should be to determine and enforce the discipline and laws and superintend the operations of the said Christian Mission and to conserve the same to and for the objects and purposes for which it was first originated and that the General Superintendent should have the powers therein mentioned that the said William Booth should continue to be for the term of his natural life the General Superintendent of the said Christian Mission unless he should resign such office that the said William Booth and every General Superintendent who should succeed him should have power to appoint his successor to the office of General Superintendent and all the rights powers and authorities of the office should vest in the person so appointed upon the decease of the said William Booth or other General Superintendent appointing him or at such other

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other period as might be named in the document appointing him and that it should be the duty of every General Superintendent to make in writing as soon as conveniently might be after his appointment a statement as to his successor or as to the means which were to be taken for the appointment of a successor at the decease of the General Superintendent or upon his ceasing to perform the duties of the office such statement to be signed by the General Superintendent and delivered in a sealed envelope to the Solicitor for the time being of the said Christian Mission but such statement might be altered at will by the General Superintendent at any time during his continuance in office upon a new statement being signed by him and delivered as before mentioned to such Solicitor as aforesaid: AND WHEREAS by the said Deed of Constitution it was provided that the General Superintendent should have power to expend on behalf of the Christian Mission all moneys contributed for the general purposes of the said Christian Mission or for any of the special objects or operations thereof but he should annually publish a balance-sheet (duly audited) of all such receipts and expenditure and that the General Superintendent should have power to acquire by gift purchase or otherwise any hall or meeting-house schoolroom vestry land building and appurtenances and any seats fittings furniture or other property whatsoever which might in his judgment be required for the purposes of the said Christian Mission and to build upon such land or alter or pull down any such buildings and to hire on lease or otherwise any land or buildings and to lend give away let sell or otherwise dispose of any such property land or buildings as he might deem necessary in the interests of the said Christian Mission wherein all trustees should render him every assistance and that he might in all such cases as he should deem it expedient so to do nominate and appoint trustees or a trustee of any part or parts respectively of such property and direct the conveyance or transfer thereof to such trustees or trustee with power for the General Superintendent to declare the trusts thereof and from time to time if it should seem expedient to him so to do to revoke any such trusts or the appointment of such trustees or trustee and upon such revocation the same property should be conveyed or transferred to such persons or person and upon such trusts as he might direct but only for the benefit of the said Christian Mission: AND WHEREAS on or about the first day of January One thousand eight hundred and seventy-nine the name of the said religious society or organization was changed from "The Christian Mission" to "The Salvation Army" as appears by a Memorandum under the hand of the said William Booth dated the twenty-fourth day of June One thousand eight hundred and eighty and enrolled in the Supreme Court of Judicature England on the twentieth day of April One thousand nine hundred and six: AND WHEREAS by a further Deed Poll under the hand and seal of the said William Booth bearing date the twenty-sixth day of July One thousand nine hundred and four and enrolled in the Supreme Court of Judicature England on the twenty-seventh day of

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of July One thousand nine hundred and four after reciting the change of name as aforesaid and that the said Society or organisation had since been and was then known and designated as The Salvation Army and that the title of the "General Superintendent" thereof had been altered to that of "General" and that the said William Booth was then known and designated and it was expected that every successor of his should thereafter be known and designated as the "General" of The Salvation Army it was also recited that in order to minimize the possibility of doubt dispute or litigation it was considered desirable to provide more fully and specifically than was done by the Deed of Constitution for the events in which the General for the time being should cease to perform the duties of his office and also for the nomination and appointment of a successor to the General for the time being on his dying or ceasing to perform the duties of the office and that the said William Booth had accordingly determined to execute the said Deed Poll: AND WHEREAS by the last mentioned Deed Poll after setting forth more fully such events it was declared (*inter alia*) that every General for the time being of The Salvation Army should be deemed to cease to perform the duties of his office within the meaning of clause six of the Deed of Constitution and to vacate such office upon the happening of any of the events therein referred to that is to say (*inter alia*) if the Commissioners of The Salvation Army or a majority of such Commissioners amounting to at least four in five should declare by writing under their hands that they are satisfied that the General is (*inter alia*) permanently incapacitated by mental or physical infirmity from the adequate performance of the duties of his office or if a resolution adjudicating the General unfit for office and removing him therefrom should be passed by a majority of not less than three-fourths of the members present and voting at a meeting of the High Council of The Salvation Army thereafter referred to: AND WHEREAS the said William Booth died on the twentieth day of August One thousand nine hundred and twelve having by Deed Poll under his hand and seal dated the twenty-first day of August One thousand eight hundred and ninety in exercise of the power in that behalf vested in him by the Deed of Constitution as aforesaid appointed William Bramwell Booth to be his successor and to succeed him as from the time of his decease in the office of General Superintendent and Commanding Officer of The Salvation Army: AND WHEREAS the said William Bramwell Booth by Deed Poll under his hand and seal dated the twenty-third day of August One thousand nine hundred and twelve duly accepted the said Office: AND WHEREAS by Deed Poll under the hand and seal of the said William Bramwell Booth bearing date the first day of June One thousand nine hundred and twenty it was (*inter alia*) recited that in connection with and as the outcome of the work teaching and experience of The Salvation Army in the United Kingdom and in Australia and in other countries of the world the said William Booth and the said William Bramwell Booth had evolved and promulgated various operations for the social moral and temporal welfare and improvement of the poorer and more needy classes

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classes of society and of persons who were destitute vicious or feeble-minded or suffering from injury or sickness or ill-health or orphans or other children needing care in orphanages or reformatories and for other charitable purposes which operations were then and are now generally known and described as the Social Work of The Salvation Army and which in relation to the Commonwealth of Australia (hereinafter called "the said Commonwealth") were hereinafter sometimes referred to as the Social Work and that in connection with the carrying on of the Social Work in the said Commonwealth the said William Booth and the said William Bramwell Booth as his successor in office had acquired certain real and personal property particularized in the schedule thereto and other real and personal property would thereafter be acquired for the purposes of the Social Work and that it was right and desirable that the same respectively should be kept distinct from the other or proper real and personal property of The Salvation Army and be used and devoted exclusively in and to the Social Work in or connected with the said Commonwealth and that the Social Work should be defined and regulated and the trusts of the said real and personal property already acquired and thereafter to be acquired for or in connection therewith declared as hereinafter appearing: AND it was thereby witnessed that the said William Bramwell Booth declared that the real and personal property particularized in the said schedule and all property real and personal which might thereafter be acquired by gift grant purchase or in any manner whatsoever for the purposes of the Social Work in or in connection with the said Commonwealth and all real and personal property for the time being representing the same or any part thereof respectively and all which were sometimes hereinafter collectively referred to as "the trust property" should at all times thereafter be held upon trust to use and apply the same and the income thereof for the social moral and temporal welfare and improvement of the poorer and more needy classes of society and of persons who are destitute or vicious or feeble-minded or suffering from injury or sickness or ill-health or orphans or other children needing care in orphanages or reformatories in the said Commonwealth and for other charitable purposes in or in connection with the said Commonwealth in such ways and by such means as the said William Bramwell Booth or other the Director (as hereinafter defined) for the time being of the Social Work should at any time or from time to time think fit subject nevertheless to the provisos therein contained: AND that the Social Work should at all times thereafter be under the oversight direction and control of the person who should be for the time being General of The Salvation Army and he should be called in relation to the Social Work the Director of the Social Work (hereinafter referred to as "the Director") and that it should be his duty to determine and enforce the laws and to superintend the operations of the Social Work and to conserve the same and the trust property for the purposes of the trusts thereby declared: AND it was provided that for the purpose of identifying and earmarking the trust property and

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and the income thereof and keeping the same distinct from all property of The Salvation Army full accounts of all moneys contributed collected or received for the Social Work and of the application thereof should be kept in such manner as to keep the same always distinct and separate from the property of The Salvation Army and that all conveyances leases transfers assignments and assurances made to the Director for the time being for the purposes of the Social Work should be expressed to be made to him as such Director and should thereupon become subject to the trusts of the Deed Poll now in recital and that whenever any property real or personal acquired for the purposes of the Social Work should be conveyed leased transferred assigned or assured to any trustees or trustee other than the Director for the time being such trustees or trustee should in each case execute a sufficient declaration of trust so as in every case to enable the property conveyed leased transferred assigned or assured to be sufficiently identified or earmarked as being property devoted to the purposes of the Social Work: AND WHEREAS the said recited Deed Poll of the first day of June One thousand nine hundred and twenty set forth the powers which the Director should have over and on and concerning the said trust property: AND WHEREAS at a duly convened meeting of the High Council of The Salvation Army held at Sunbury in England on the eighth day of January and on the thirteenth day of February One thousand nine hundred and twenty-nine the High Council of The Salvation Army referred to in the said recited Deed Poll of the twenty-sixth day of July One thousand nine hundred and four duly and in accordance with such Deed Poll by resolution a copy of which (*inter alia*) was enrolled in the Supreme Court of Judicature England on the twentieth day of February One thousand nine hundred and twenty-nine adjudicated the said William Bramwell Booth unfit for office as General of The Salvation Army and removed him therefrom and by way of record declared that the said adjudication was based upon the state of health of the said William Bramwell Booth and the said High Council in pursuance of the power vested in it by the said Deed Poll of the twenty-sixth day of July One thousand nine hundred and four elected and appointed Edward John Higgins of 101 Queen Victoria Street London England to be the General of The Salvation Army: AND WHEREAS by Deed Poll under his hand and seal dated the thirteenth day of February One thousand nine hundred and twenty-nine and enrolled in the Supreme Court of Judicature England on the twentieth day of February One thousand nine hundred and twenty-nine the said Edward John Higgins duly accepted the said office upon and subject to the terms not only of the said recited Deed Poll of the seventh day of August One thousand eight hundred and seventy eight but also of the said recited Deed Poll of the twenty-sixth day of July One thousand nine hundred and four: AND WHEREAS the said William Bramwell Booth died on the sixteenth day of June One thousand nine hundred and twenty-nine: AND WHEREAS it is expedient to provide that the whole of the property real and personal of The Salvation Army in South Australia which

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was at the time of his death held by and now stands in the name of the said William Bramwell Booth upon the trusts of the hereinbefore recited Deeds Poll of the seventh day of August One thousand eight hundred and seventy-eight and the twenty-sixth day of July One thousand nine hundred and four and the first day of June One thousand nine hundred and twenty respectively and of or to which The Salvation Army in South Australia is otherwise entitled whether held by and standing in the name of the said William Bramwell Booth at the time of his death or now standing in the name or names of any other person or persons and which the General for the time being of The Salvation Army as such General and as Director of the said Social Work of The Salvation Army respectively is entitled to have vested in him upon the trusts of the said recited Deeds Poll according to the nature of the same and all choses in action and other property subject to the hereinbefore recited trusts or any of them or any interest in respect thereof except property held by and shares in the Salvation Army Auxiliary Company of Australia Proprietary Limited shall vest in a body of Trustees and the said body of trustees shall be a body corporate with the powers and authorities hereinafter set forth: BE IT THEREFORE enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the House of Assembly of South Australia in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title and commencement.

1. This Act may be cited as "The Salvation Army (South Australia) Property Trust Act, 1931" and shall come into force on the publication in the *Government Gazette* of the names of the first trustees.

Interpretation.

2. In this Act unless inconsistent with the context or subject matter—

"Body corporate."

"Body corporate" means "The Salvation Army (South Australia) Property Trust" as incorporated by this Act.

"Deed of Constitution."

"Deed of Constitution" means the hereinbefore recited deed poll of the seventh day of August One thousand eight hundred and seventy-eight.

"General."

"General" means the General (formerly called General Superintendent) for the time being of The Salvation Army under its Constitution.

"The Salvation Army."

"The Salvation Army" means the religious society or organization referred to in the hereinbefore recited deeds poll of the seventh day of August One thousand eight hundred and seventy-eight, the twenty-sixth day of July One thousand nine hundred and four, and the first day of June One thousand nine hundred and twenty.

"Said recited deeds poll."

"Said recited deeds poll" means the Deed of Constitution and the hereinbefore recited deeds poll of the twenty-sixth

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sixth day of July One thousand nine hundred and four and the first day of June One thousand nine hundred and twenty.

“ Trustees ” means the persons for the time being constituting the body corporate. “ Trustees.”

“ Will ” includes codicil and every other testamentary disposition. “ Will.”

3. The trustees for the time being shall be a body corporate by the name of “ The Salvation Army (South Australia) Property Trust ” and shall have perpetual succession and a common seal and shall be capable of purchasing or otherwise acquiring, holding, managing, controlling, and subject to this Act, granting, transferring, mortgaging, demising, selling, disposing of, creating or reserving easements over or otherwise dealing with any property real or personal and of suing and being sued by and in the aforesaid name and doing and suffering all such other acts and things as bodies corporate may by law do or suffer.

Incorporation of Trustees : Power to hold real and personal property, etc.

4. (1) The number of the trustees shall be not less than five and not more than seven, and shall consist of persons appointed by the General in writing from time to time whether before or after the passing of this Act.

Number and appointment of trustees.

(2) The names of the first trustees shall be published in the *Government Gazette* as soon as may be after the passing of this Act.

5. (1) The trustees for the time being shall have the custody of the common seal of the body corporate and the form of such seal and all other matters relating thereto shall from time to time be determined at a meeting of the trustees.

Custody of common seal and quorum of trustees.

(2) The trustees or any three of them acting in pursuance of a resolution of the trustees may exercise any power conferred by this Act on the trustees or the body corporate.

(3) At a meeting of the trustees three shall form a quorum.

6. (1) The common seal of the body corporate shall not be affixed to any document except by the authority of a resolution of the trustees and the affixing of the seal shall be attested by at least two trustees or in such other way as the trustees may from time to time appoint and such attestation shall be sufficient evidence of the authority to affix the seal.

Execution of deeds.

(2) Contracts on behalf of the body corporate may be made as follows :—

Contracts.

(a) Any contract which if made between private persons would be by law required to be in writing under seal may be made on behalf of the body corporate in writing under

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under its common seal affixed as provided in subsection (1) of this section and may in the same manner be varied or discharged.

(b) Any contract which if made between private persons would be by law required to be in writing signed by the parties to be charged therewith may be made on behalf of the body corporate in writing signed by any person acting under the authority of the trustees and may in the same manner be varied or discharged.

(c) Any contract which if made between private persons would by law be valid although made by parol only and not reduced to writing may be made by parol on behalf of the body corporate by any person acting under the authority of the trustees and may in the same manner be varied or discharged.

(3) All contracts made according to subsection (2) of this section shall be effectual in law and shall bind the body corporate and its successors and all other parties thereto their heirs executors or administrators (as the case may be).

(4) The production of a document which purports to be executed in accordance with the requirements of subsection (1) of this section shall be *prima facie* evidence and in favour of the Crown, the Registrar-General, and every person who deals for value with the trustees be conclusive evidence that such document was executed in accordance with the requirements of the said subsection (1).

Vesting of property
in trustees.

7. All lands, tenements, and hereditaments (including chattels real) situate in the State of South Australia together with all rights, easements, and appurtenances relating thereto and all personal property situate as aforesaid which were at the time of his death held by and immediately before the commencement of this Act stood in the name of the said William Bramwell Booth, as General of The Salvation Army or Director of the Social Work of The Salvation Army respectively, upon the trusts of the said recited deeds poll or any of them or which were at the time of his death held by and immediately before the commencement of this Act stood in the name of the said William Bramwell Booth or are held by and stand in the name or names of any other person or persons in trust for The Salvation Army or for any of its funds or any department of its work or any branch corps auxiliary or institution of The Salvation Army or to which The Salvation Army is otherwise entitled and all choses in action and other property in South Australia subject to the hereinbefore recited trusts or any trusts declared pursuant to the said recited deeds poll or any of them and all other property real and personal which immediately before the commencement of this Act was held in trust for The Salvation Army in South Australia or for any of its funds or any department of its work or any branch corps auxiliary or institution thereof or to which immediately before the commencement of this Act The Salvation Army in South
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Australia was entitled (save and except any property held by and any shares in the Salvation Army Auxiliary Company of Australia Proprietary Limited) shall (subject to the provisions of sections nineteen and twenty-two of this Act) vest in the body corporate upon the trusts and with the powers, authorities, and discretions and subject to the terms, provisions, and conditions of this Act and of the Deed of Constitution, and the said deed poll of William Booth bearing date the twenty-sixth day of July one thousand nine hundred and four, or of the said deed poll of William Bramwell Booth bearing date the first day of June one thousand nine hundred and twenty, according to the particular trusts in each case upon which the same were held immediately before the commencement of this Act but subject and without prejudice to the special trusts if any upon which the same were so held and subject also to any reservation, mortgage, charge, encumbrance, lien, or lease affecting the same respectively and subject and without prejudice to any resulting trust or any trust of any such lands, tenements, or hereditaments in favour of the donor or any person or corporation other than The Salvation Army and upon and subject to no other trusts or provisions whatsoever.

8. The trustees shall be entitled at all time after the commencement of this Act to exercise all the powers relating to the lands, tenements, and hereditaments (including chattels real) rights easements and appurtenances and personal property and choses in action hereby vested in the body corporate or which may hereafter be acquired by the body corporate or which may become vested in the body corporate under this Act or otherwise which were immediately before the commencement of this Act exercisable by the General of The Salvation Army and the Director of the Social Work of The Salvation Army for the time being respectively under the said recited Deed of Constitution and deed poll of the twenty-sixth day of July one thousand nine hundred and four and under the said recited deed poll of the first day of June one thousand nine hundred and twenty according as the trustees hold the same upon the trusts of such Deed of Constitution and first-mentioned deed poll or of such second-mentioned deed poll (as the case may be) and may exercise all or any of such powers and of the powers by this Act conferred upon them, notwithstanding there is for the time being any vacancy in the office of General of The Salvation Army or the office of Director of the Social Work of The Salvation Army provided that such trusts shall not be enlarged modified varied or altered save as provided in the next succeeding section.

Powers of trustees.

9. (1) All property from time to time vested in the body corporate shall so far as the same is not subject to any express trust other than the said recited deeds poll be held and dealt with as follows :—

Trust property:
how held.

- (a) property so held for the general purposes of The Salvation Army shall be held and dealt with in accordance with and subject to such of the trusts powers and provisions

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of the Deed of Constitution and the deed poll of the twenty-sixth day of July one thousand nine hundred and four as are applicable to such general purposes

- (b) property so held for the Social Work of The Salvation Army shall be held and dealt with in accordance with and subject to the said recited deed poll of the first day of June one thousand nine hundred and twenty :

Provided that no person dealing with the trustees shall be bound to inquire into the propriety or necessity of any such dealing.

Power to vary trusts.

- (2) The trustees may from time to time with the consent of the General enlarge modify vary or alter the trusts upon which for the time being any of the said property is held :

Provided that all such property shall subject to any such enlargement modification variation or alteration from time to time be held upon either one or other of the trusts mentioned in the last preceding subsection.

This subsection shall apply to property the subject of any express trust other than the said recited deeds poll only to the extent (if any) and subject to the conditions (if any) in accordance with which such trust could have been altered if this Act had not been passed.

Power to mortgage.

- 10.** The body corporate may from time to time borrow money with or without security or secure the payment of any sum or sums of money and for any such purpose may mortgage or charge all or any real or personal property for the time being vested in it :

Provided that no debt incurred for the general purposes of The Salvation Army shall be secured upon any property which is for the time being held upon trust for the Social Work of The Salvation Army and that any moneys raised on any property which is for the time being held upon trust for the Social Work of The Salvation Army shall only be used for the purposes of the said Social Work.

Power to sell.

- 11.** The body corporate may from time to time sell any real or personal property for the time being vested in it by public auction or private contract as the trustees may deem expedient at such price and upon such terms as to payment of purchase money and on such conditions and generally in such manner as they think fit and may convey transfer or assign the same or any part thereof to the purchaser or purchasers thereof or as he or they may direct and the property so conveyed transferred or assigned shall thereupon be absolutely freed and discharged from the trusts affecting the same.

Protection of mortgagees and purchasers.

- 12.** (1) The receipt in writing of the trustees or of the body corporate or of any person or persons authorised by them or it in writing to receive the same for the moneys borrowed or the mortgage moneys.

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moneys raised on any property mortgaged by the body corporate or for the purchase money of any property sold under this Act or for any other moneys payable to the trustees or the body corporate shall exonerate the lender the mortgagee the purchaser and any other person paying such moneys as aforesaid from seeing to the application of the same, and from all liability as to the misapplication or non-application thereof and from inquiring into the propriety regularity or necessity of any borrowing, mortgage or sale, lease or other dealing whatsoever.

(2) This section shall be read in aid of and not in derogation from any other protection afforded to any such lender mortgagee purchaser or person by any other Act now or hereafter in force.

13. The proceeds of the sale of any property real or personal held for the purpose of the said Social Work shall be devoted to the purposes of the said Social Work and the body corporate may for such purposes purchase or otherwise acquire therewith any property real or personal.

Proceeds of sale of real or personal property held for the Social Work.

14. (1) The trustees may regulate the time and place of their meetings and the procedure to be followed thereat.

Meetings of trustees, minutes, etc.

(2) The trustees shall hold regular meetings, and shall cause to be kept minutes of their proceedings and their resolutions, which shall at all times be open for inspection by the General or any person appointed by him.

(3) The trustees shall keep a register of all lands vested in the body corporate and shall indicate in such register which lands are held for the general purposes of The Salvation Army and which are held for the Social Work of The Salvation Army.

Registration of lands.

15. The General may from time to time by writing remove any person from the office of trustee and appoint another person to be a trustee in the place of any person so removed or whose office has for any other reason become vacant and if the number of trustees is less than seven may appoint additional trustees so that the total number of trustees does not exceed seven.

Removal of trustees.

16. The continuing trustees, provided there are not less than three trustees, may act notwithstanding any vacancy in the number of trustees either by death, resignation, or removal, but each vacancy shall be filled as soon as practicable after such vacancy occurs.

Power of continuing trustees to act.

17. (1) The trustees may appoint officers of the body corporate and a certificate under the seal of the body corporate of the appointment of a secretary or other officer shall be *prima facie* evidence and in favour of the Crown, the Registrar-General, and every person who deals for value with the trustees conclusive evidence of his or their due appointment.

Appointment of officers: Evidence of resolutions.

(2) A certificate signed by the secretary for the time being of the body corporate as to who are the persons for the time being constituting

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constituting the body corporate and a certificate of such secretary certifying to any resolutions of the trustees shall be *prima facie* evidence and in favour of the Crown the Registrar-General and every person who deals for value with the trustees conclusive evidence as to who are the trustees for the time being, and of any such resolution (as the case may be) and judicial notice shall be taken of the signature of the secretary for the time being appearing on every such certificate.

Construction of wills, etc.

18. Whenever by any will, deed, or other instrument or by any gift or disposition of property any property, real or personal, has been or is devised, bequeathed, given, granted, released, conveyed, transferred, assigned or appointed to or has been or is declared or directed to be held upon trust for the benefit of The Salvation Army in South Australia or of any of its funds or any department of its work or of any branch, corps, auxiliary, or institution thereof or shall be or become receivable by or payable to or for the benefit of The Salvation Army in South Australia or by to or for the benefit of any such fund, department, branch, corps, auxiliary or institution—

- (a) Such will, deed, or other instrument gift or disposition shall be construed and operate and take effect as though the body corporate were named therein ;
- (b) the acknowledgment or receipt of the trustees or of any person or persons authorized in writing by the trustees for any such property shall be a sufficient discharge therefor ; and
- (c) all property, real or personal, so devised, bequeathed, given, granted, released, conveyed, transferred, assigned, or appointed, or declared or directed to be held upon trust as aforesaid shall, subject to the trusts of such will, deed, or other instrument, gift or disposition and subject to any direction to the contrary therein contained or declared thereby so far as the same are capable of taking effect, be under the direction and control of the trustees; and they may call for the transfer, conveyance, assignment, or delivery thereof to the body corporate.

Vesting in trustees of property given or devised, etc., for the benefit of The Salvation Army.

19. Whenever by any will, deed, or other instrument, or by any gift or disposition of property made before but not taking effect until after the commencement of this Act, or by any will, deed or other instrument or by any gift or other disposition of property made after the commencement of this Act any real or personal property has been or is devised, bequeathed, or given to or for the benefit of The Salvation Army in South Australia or to or for the benefit of any of its funds, or of any department of its work, or of any branch, corps, auxiliary, or institution thereof (other than real or personal property devised, bequeathed, or given to specific trustees upon trust for The Salvation Army or for any such

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such fund, department, branch corps, auxiliary or institution thereof) all such real and personal property shall vest in the body corporate.

20. Nothing contained in or done under this Act shall be deemed to affect prejudicially or to deprive any person of any right whatsoever which if this Act had not been passed might have been enforceable against the General or his predecessors in office; and such right so far as it relates to any property vested in the body corporate pursuant to this Act may be enforced against the body corporate. Saving of rights.

21. Any rights, however arising, relating in any wise to the real and personal property held in trust for or pursuant to this Act vested in the body corporate which were at the time of his death in the said William Bramwell Booth or immediately before the commencement of this Act were in the General are hereby vested in the body corporate and may be enforced by it in the same manner as the said William Bramwell Booth if he were still living or the General (as the case may be) might have enforced the same if this Act had not been passed. Vesting of rights of the General in the trustees.

22. Where any property which but for this section would be vested in the body corporate under or by virtue of this Act consists of any estate in land then such estate shall be held on trust for or on behalf of the body corporate and— Vesting of estates in land in trustees.

(a) if such property is an estate in land under The Real Property Act, 1886, on application in that behalf by the trustees to the Registrar-General and on proof to his satisfaction of the facts relating thereto and payment of the proper fees, he shall make the proper entry in the register book and thereupon without any transfer of such estate the whole estate shall vest in the body corporate :

(b) if such property is an estate in land not under The Real Property Act, 1886, on application in that behalf by the trustees to the Registrar-General and on proof to his satisfaction of the facts relating thereto and payment of the proper fees, he shall make the proper entry in the appropriate register and thereupon without any conveyance or other assurance of such estate it shall vest in the body corporate for all the estate of the person so holding on trust.

23. The General may from time to time delegate to any person or persons the exercise of all or any of the powers conferred upon him by this Act and may from time to time revoke any such delegation and for the purposes aforesaid may execute such powers of attorney and other instruments as he may think fit. Delegation of powers by the General.

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

A. HORE-RUTHVEN, Governor.