



ANNO SECUNDO

GEORGII VI REGIS.

A.D. 1938.

No. 2396.

An Act to enable the land known as the Alberton Cemetery to be conveyed to the Corporation of The City of Port Adelaide, and for incidental purposes.

[Assented to 6th October, 1938.]

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 "Alberton Cemetery Act, 1938".

Power to convey cemetery land.

2. (1) Saint Paul's Church Port Adelaide Incorporated may, without any further authority than this Act, convey to the Corporation of the City of Port Adelaide an estate in fee simple in the land described in part I. of the schedule.

(2) The Right Reverend Arthur Nutter Thomas of Adelaide Doctor in Divinity Bishop of Adelaide, Whitmore Blake Carr of Adelaide sharebroker, and Percy Emerson Johnstone of Adelaide solicitor may, without any further authority than this Act, convey to the Corporation of the City of Port Adelaide an estate in fee simple in the land described in part II. of the schedule.

(3) The Corporation of the City of Port Adelaide may, without any further authority than this Act, accept any such conveyance.

Determination of trusts.

3. (1) Upon the conveyance authorised by subsection (1) of section 2 being made, Saint Paul's Church Port Adelaide Incorporated shall be freed from all trusts relating to the land conveyed and all trusts relating to the said land shall be determined.

Alberton Cemetery Act, 1938.

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(2) Upon the conveyance authorised by subsection (2) of section 2 being made, the said Right Reverend Arthur Nutter Thomas, Whitmore Blake Carr, and Percy Emerson Johnstone shall be freed from all trusts relating to the land conveyed and all trusts relating to the said land shall be determined.

4. (1) Upon any conveyance authorised by section 2 being made, the land conveyed shall be vested for an estate in fee simple in the Corporation of the City of Port Adelaide freed from all trusts but shall be held for the purposes of a public cemetery and subject to such leases for burial purposes as may have been granted of any part of the said land and which are subsisting at the time of the conveyance. Purposes for which land to be held.

(2) Notwithstanding subsection (1), any land so conveyed may be dealt with in any manner provided by Part XXX. of the Local Government Act, 1934-1936.

5. If, after any conveyance authorised by section 2 is made and is registered under the Registration of Deeds Act, 1935, application is made by the Corporation of the City of Port Adelaide to bring the land conveyed under the provisions of The Real Property Act, 1886-1936, the Registrar-General may issue a certificate of title for the land. Issue of Real Property Act title.

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

W. DUGAN, Governor.

THE SCHEDULE.

PART I.

Comprising that portion of part section 2300, Hundred of Yatala, bounded as follows:—Commencing at a point on the south-western boundary of part section 2300, as delineated in margin of Certificate of Title, Volume 1155, Folio 190, and distant 81ft. 2in. from the western corner thereof; thence north-easterly at a northern angle of $97^{\circ} 30'$ with said boundary for 124ft. 7in.; thence south-easterly at a southern angle of $101^{\circ} 51'$ for 281ft. 10in.; thence south-westerly at a western angle of $82^{\circ} 10'$ for 145ft. 2in.; thence north-westerly along the south-western boundary aforesaid to the point of commencement.

PART II.

Comprising that portion of part section 2300A, Hundred of Yatala, bounded as follows:—Commencing at a point on the south-western boundary of part section 2300, as delineated in margin of Certificate of Title, Volume 1155, Folio 190, and distant 38ft. 7in. from the southern corner thereof; thence south-westerly at a southern angle of $94^{\circ} 08'$ with said boundary for 308ft. 4in.; thence north-westerly at a northern angle of $72^{\circ} 24'$ for 382ft. 3in.; thence north-easterly at an eastern angle of $109^{\circ} 07'$ for 16ft. 8in.; thence south-easterly at a southern angle of $92^{\circ} 35'$ for 80ft. 4in.; thence north-easterly at a northern angle of $92^{\circ} 54'$ for 149ft. 7in.; thence south-easterly along the south-western boundary of part section 2300 aforesaid to the point of commencement.



ANNO SECUNDO

GEORGII VI REGIS.

A.D. 1938.

No. 2397.

An Act for the general appropriation of the revenue of the State for the year ending on the thirtieth day of June, nineteen hundred and thirty-nine, and for other purposes.

[Assented to 22nd October, 1938.]

WHEREAS, by certain Acts of the State of South Australia, certain moneys are or may be collected, to be paid to the Treasurer on behalf of His Majesty, His heirs and successors, for the public uses of the said State and support of the Government thereof: And whereas certain other moneys are or may become payable to the said State for the like uses, under the provisions of the Commonwealth of Australia Constitution Act, 63 & 64 Vict. ch. 12—

Preamble.

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 "Appropriation Act, 1938".
2. Out of the said moneys paid by the Commonwealth of Australia, and the produce of all or any other General Public Revenues of the said State, not otherwise by law specially appropriated, there shall or may be further issued the sum of six million, two hundred and eighty-two thousand, eight hundred and seventy-nine pounds.
3. Out of the sum of eight hundred thousand pounds issued under the authority of the Supply Act (No. 1), 1938, the sum of one million pounds issued under the authority of the Supply Act (No. 2), 1938, and the said sum of six million, two hundred and eighty-two thousand, eight hundred and seventy-nine pounds by this Act authorised to be issued, there shall or may be applied in the manner hereinafter mentioned, any sums of

Short title.

Further issue.

Appropriation
of General
Revenue.

Appropriation Act, 1938.

money not exceeding in amount respectively the several sums of money hereinafter specified, that is to say—

Estimates,
1938-39.

For defraying the charges of the State Government for the year ending the thirtieth day of June, nineteen hundred and thirty-nine, there shall be paid the sum of eight million and eighty-two thousand, eight hundred and seventy-nine pounds, the said amount being appropriated as follows, viz. :—

	£	s.	d.
Legislative Council	3,341	0	0
House of Assembly	4,940	0	0
Parliamentary Library	1,305	0	0
Parliament House	2,330	0	0
Electoral	6,287	0	0
Government Reporting	8,962	0	0
Parliamentary Standing Committee on Public Works	1,072	0	0
Miscellaneous	15,480	0	0
Private Secretary	400	0	0
Chief Secretary	3,942	0	0
Statistical (including Principal Registrar of Births, etc., and Public Actuary)	11,139	0	0
Audit	12,105	0	0
Printing and Stationery	56,720	0	0
Police	334,034	0	0
Sheriff and Gaols and Prisons	39,115	0	0
Inspector-General of Hospitals	392,929	0	0
Children's Welfare and Public Relief	252,500	0	0
Central Board of Health	23,750	0	0
Miscellaneous	106,737	0	0
Attorney-General (including Registrar of Companies' Office)	5,188	0	0
Crown Solicitor	8,130	0	0
Parliamentary Draftsman	2,070	0	0
Public Trustee	8,301	0	0
Supreme Court	15,645	0	0
Adelaide Local Court	10,994	0	0
Adelaide Police Court (including State Children's Court and Traffic Court)	8,598	0	0
Country Local Courts	11,256	0	0
Coroners	1,204	0	0
Registrar-General of Deeds	20,987	0	0
Miscellaneous	1,285	0	0
The Treasury and Superannuation Fund Branch...	15,530	0	0
Motor Vehicles	24,669	0	0
Agent-General in England	3,973	0	0
Taxation	85,507	0	0
Stamp and Succession Duties	8,148	0	0
Immigration, Publicity and Tourist Bureau	22,267	0	0
Interest and Exchange	526,000	0	0
Unclaimed Moneys—Repayment of	1,000	0	0
Miscellaneous	193,388	0	0
Lands	79,458	0	0
Botanic Garden	12,273	0	0
Government Motor Garage	5,631	0	0
Soldier Settlement Administration, Lands and Irrigation Branches	56,745	0	0
Miscellaneous	15,190	0	0

Appropriation Act, 1938.

	£	s.	d.
Public Works (Office of the Commissioner)	1,786	0	0
Labour Exchange	2,660	0	0
Engineering and Water Supply	378,816	0	0
Architect-in-Chief	24,780	0	0
Government Offices	15,981	0	0
Cemetery (West Terrace)	3,519	0	0
Supply and Tender Board and Public Stores	24,791	0	0
Aboriginals	34,371	0	0
Public Works	126,111	0	0
Miscellaneous	11,274	0	0
Education	937,648	0	0
Public Library, Museum, Art Gallery, and Societies	18,438	0	0
School of Mines and Industries.....	30,231	0	0
Observatory	2,791	0	0
Miscellaneous	43,330	0	0
Industry (including Public Service Commissioner's Office)	9,585	0	0
Factories and Steam Boilers	13,724	0	0
Unemployment Relief Council	307,773	0	0
Minister of Agriculture	3,482	0	0
Agriculture	70,100	0	0
Agricultural College	20,805	0	0
Stock and Brands	12,851	0	0
Produce	55,272	0	0
Fisheries and Game	7,168	0	0
Chemistry	9,954	0	0
Woods and Forests	5,708	0	0
Miscellaneous	5,461	0	0
Department of Lands (Irrigation and Drainage) ...	111,816	0	0
Miscellaneous	150	0	0
Mines	23,430	0	0
Harbors Board	263,249	0	0
Railways Department.....	2,994,482	0	0
Miscellaneous	34,745	0	0
Highways and Local Government.....	23,685	0	0
Miscellaneous	32,387	0	0
Total Estimates, 1938-39	£8,082,879	0	0

4. The issue and payment by the Treasurer, from time to time, of any sum or sums of money for the purposes hereinbefore mentioned, not exceeding in the whole the sums respectively in that behalf hereinbefore specified, to such persons and in such portions as the Governor has heretofore directed by any order or orders in writing signed by him and countersigned by the Chief Secretary, or may hereafter direct by any order or orders so signed and countersigned, is hereby authorised; and the said Treasurer shall, in his accounts, be allowed credit for all sums paid by him in pursuance of such orders accordingly; and the receipts of the persons to whom such sums have been or are so paid shall be to him a full discharge for the sum or sums for which the same receipts shall be or are respectively given, and the amounts thereof shall be passed to his credit in account accordingly.

Treasurer to pay the orders of Governor, and discharge by receipt of party.

Power to issue money other than revenue or money received from the Commonwealth.

5. If the moneys paid by the Commonwealth of Australia and the produce of the General Public Revenues of the State are insufficient to make the payments authorised by section 2 of this Act, moneys may be issued to make good the deficiency out of loan funds or other public funds or out of moneys raised by way of bank overdraft.

Recoup to Governor's Appropriation Fund.

6. (1) All money appropriated from the Governor's Appropriation Fund to meet expenditure incurred between the thirtieth day of June, nineteen hundred and thirty-eight, and the commencement of this Act, shall be recouped to the Governor's Appropriation Fund out of the money voted by this Act, to the intent that the Governor shall thereafter have power to appropriate revenue under the authority of subsection (1) of section 72 of the Constitution Act, 1934-1937, to the full extent and for the purposes permitted by that subsection.

(2) In this section "Governor's Appropriation Fund" means the Governor's Appropriation Fund as defined by subsection (2) of section 72 of the Constitution Act, 1934-1937.

Provision for certain annual payments.

7. (1) The following amounts, namely :—

(a) the amounts payable by the Treasurer to the Fire Brigades Board under the Fire Brigades Act, 1936-1938 :

(b) the salaries and allowances payable to members of the Public Works Standing Committee under the Public Works Standing Committee Act, 1927-1935 :

(c) the salaries payable to Ministers of the Crown under the Constitution Act, 1934-1937,

shall be paid from time to time in each financial year by the Treasurer out of general revenue of the State, and this section without any further appropriation or authority shall be a sufficient authority for making such payments.

(2) Any such amounts paid by the Treasurer before the passing of this Act at rates not exceeding those prescribed by law shall be deemed to have been lawfully paid.

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

W. DUGAN, Governor.