

Version No. 001

**Junior Legacy, Melbourne (Dureau
Memorial) Act 1953**

Act No. 5717/1953

Version as at 14 February 2000

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Version No. 001

**Junior Legacy, Melbourne (Dureau
Memorial) Act 1953**

Act No. 5717/1953

Version incorporating amendments as at 14 February 2000

An Act relating to certain Property held in Trust for the purposes
of Junior Legacy, Melbourne, and for other purposes.

Preamble

WHEREAS Richard Goldsmith of the United States of America, being desirous of marking his appreciation of services rendered in Australia to the armed forces of his country during the 1939–1945 war and of perpetuating the memory of the late David H. Dureau of Victoria, made arrangements whereby the B. G. Corporation (a corporation, incorporated in the United States of America, of which he is the president) by deed of gift dated the sixth day of October One thousand nine hundred and forty-four made available to the Junior Legacy Club, Melbourne, the sum of Twenty-seven thousand and fifty-nine pounds with the intention that such sum should be applied by trustees in the purchase and fitting out of premises to be used for the advancement of a principal object of the said Club namely the care and welfare of children of members of the Australian armed forces who gave their lives in the wars of 1914 and 1939 and that such premises should be perpetually known as the "D. H. Dureau Memorial Building":

AND WHEREAS pursuant to the said deed of gift the trustees appointed by the said deed acquired as trustees on behalf of the said Club the freehold of the premises known as Number 342 Swanston-street, Melbourne, being Crown Allotments 27 28 and 29 Section 44 City of Melbourne Parish of

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North Melbourne County of Bourke and being the whole of the land comprised in Certificate of Title registered in the Office of Titles Volume 3197 Folium 639341:

AND WHEREAS the said Club was on the fifth day of September One thousand nine hundred and fifty-two incorporated under the **Companies Act 1938** under the name of "Junior Legacy, Melbourne" and the registered office of such company is situate at 45 Market-street Melbourne:

AND WHEREAS it has not yet been practicable to obtain vacant possession of the said premises and the said premises are now considered unsuitable for the purpose for which they were intended:

AND WHEREAS the hereinbefore recited B. G. Corporation has approved of a proposal that the trustees for the time being under the said deed should be authorized to sell the said premises and devote the net proceeds of such sale to the general purposes of Junior Legacy, Melbourne, being satisfied that such sale and application of proceeds is in the best interests of the persons it was intended should benefit by the original gift and being also satisfied that the undertaking of Junior Legacy, Melbourne, to perpetuate the memory of David H. Dureau, either by attaching his name to a headquarters building or to a trust fund for the education or welfare of junior legatees, will be carried out:

AND WHEREAS it is expedient to make provision as hereinafter enacted to enable the trustees to give effect to the intention of the last preceding recital:

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

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1. Short title

This Act may be cited as the **Junior Legacy, Melbourne (Dureau Memorial) Act 1953**.

2. Power to trustees to sell Dureau Memorial Building and apply proceeds to general purposes of Junior Legacy, Melbourne

Notwithstanding anything in the memorandum of association of the hereinbefore recited Junior Legacy, Melbourne, or in the hereinbefore recited deed of gift or any other instrument, the trustees for the time being under the said deed of gift may—

- (a) sell or by exchange dispose of the hereinbefore recited premises, and until such sale or exchange hold such premises upon trust for the general purposes of Junior Legacy, Melbourne, with power to mortgage or lease such premises or any part thereof;
 - (b) apply and use the net proceeds (including any premises received by way of exchange), together with any other moneys arising from the hereinbefore recited deed of gift, for the general purposes of Junior Legacy, Melbourne, as hereinbefore recited.
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ENDNOTES

1. General Information

The **Junior Legacy, Melbourne (Dureau Memorial) Act 1953** was assented to on 25 November 1953 and came into operation on 25 November 1953.

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Endnotes

2. Table of Amendments

There are no amendments made to the **Junior Legacy, Melbourne (Dureau Memorial) Act 1953** by Acts and subordinate instruments.

3. Explanatory Details

No entries at date of publication.