Background –

A. Stanley Alexander Macdonald (‘donor’) died in May 1981 and under the terms of his Will dated 12 December 1980, bequeathed his residuary estate ($28,243.11) to the University of Adelaide (‘bequest’) to be administered in the following manner:

‘…..‘upon trust for THE UNIVERSITY OF ADELAIDE of North Terrace Adelaide absolutely and I DESIRE but without creating a binding trust or legal obligation that the same be applied for or towards research into Arthritis and I DECLARE that my trustee shall not be concerned as to the application thereof.’

B. The University accepted the bequest upon the trusts specified by the donor and the bequest therefore became the capital subject to those trusts (‘capital sum’).

Investment of the fund

1. The fund is to be amalgamated for the purposes of investment, and held in a common fund, and the net income earned by the common fund shall be credited, rateably, to the funds so amalgamated and thereafter distributed according to the bequest of the donor.

Obligations

2. In administering the fund, the University must adhere to the terms specified and is obliged:

   (a) to invest the capital sum according to the directions of the donor; and

   (b) to establish a fund to be administered according to the wishes of the donor.

Administration

3. Funds are currently being applied to the field of arthritis in the general medical research fund.