UTR2.144 - DR CLARENCE SHERWOOD PIPER AND MRS SHEILA PIPER BEQUESTS

Background –

A. Dr Clarence Sherwood Piper died on 17 May 1988 and bequeathed to the University of Adelaide certain legacies and bequests and directed that his residuary estate be divided in differing shares between certain organisations. The University of Adelaide was named as one of those organisations. In his will:

“as to the remaining seven-tenths share thereof for the UNIVERSITY OF ADELAIDE absolutely to be applied by it solely for the purpose of improving the library of the Waite Agricultural Research Institute by the purchase from time to time of scientific books periodicals micro films computer tapes and other means of communication in the fields of Pure Chemistry or Chemistry of the Soil or Mineral Nutrition of Plants which are or may become recognised as being works furthering scientific knowledge in these subjects and it is my express desire that the income of the bequest shall be used from time to time solely for the purchase of books periodicals and other works as aforesaid or for the binding of periodicals or papers purchased as aforesaid and that no part thereof shall be used for buildings or for alterations or additions to existing buildings or for library fittings or for salaries services maintenance or any other expenses of the said University of Adelaide and that all purchases shall be suitably acknowledged as being from the aforesaid bequest AND I DIRECT my Trustees to pay any sums due to the said University of Adelaide and the receipt of the Registrar thereof for the time being shall be a full and sufficient discharge to my Trustees AND I DECLARE that my Trustees shall not be obliged to see to the application thereof as aforesaid....”

B. Dr Piper was an eminent soil scientist and member of the academic staff in the Department of Agricultural Chemistry from 1925 to 1956. He was well known to Waite Agricultural Research Institute.

C. Mrs S C Piper left a sum of about $17,500 to the University; payable on the death of her husband.

D. The income from their bequests, which totalled more than $389,000, is used to purchase and bind where necessary, books, journals and other works on pure chemistry, soil chemistry and plant nutrition.

E. 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 wishes 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 and to administer the fund according to the wishes of the donor.