Background –

A. Florence Doris Harris (‘donor’) died on 18 October 1968 and under the terms of her Will dated 10 November 1962 bequeathed pecuniary interests in her estate amounting to $44,923.72 to the University of Adelaide (‘bequest’) to be administered in the following manner:

‘……. and the remaining two-thirds part thereof to THE UNIVERSITY OF ADELAIDE for its general purposes absolutely ...... ....I WISH (but without creating or in any way intending to create any trust or other legal obligation in that regard) that all benefits given hereunder shall form part of and be known as ‘The J Wark Bequest’ and shall be applied to research in and attempts to find a cure for cancer.’

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 cancer in the general medical research fund.