

**THE
OXLEY MEMORIAL LIBRARY OF QUEENSLAND ACT
of 1946**

11 Geo. 6 No. 15

An Act to Transfer to and Vest in the Library Board of Queensland the assets of the Oxley Centenary Fund known as "The Oxley Memorial Library of Queensland"

[Assented to 20 December 1946]

Preamble

WHEREAS in the year one thousand nine hundred and twenty-three a voluntary association of persons called the "Brisbane Centenary Celebrations Committee" was formed in the City of Brisbane for the purpose of organising and carrying into effect celebrations to commemorate the discovery of the Brisbane River by Mr. John Oxley on the second day of December, one thousand eight hundred and twenty-three :

And whereas the said Committee collected and obtained moneys from various sources for the purposes of the said celebrations :

And whereas the said Committee expended on or in connection with the said celebrations part only of the moneys collected and obtained by it and on the conclusion of the said celebrations had in hand a considerable sum of money :

And whereas at a meeting of the said Committee held on the twenty-fifth day of September, one thousand nine hundred and twenty-five it was resolved that Maurice Joseph Barry and Francis William Sutton Cumbrae Stewart be appointed permanent Trustees of the Oxley Centenary Fund and in case of a vacancy occurring by death or otherwise a successor or successors be appointed by the Public Curator of Queensland and that a permanent Oxley Memorial be set up at North Quay in the City of Brisbane by the erection of a block of granite suitably inscribed and that a Library be established and maintained of Queensland literature to be called the "Oxley Memorial Library of Queensland" :

And whereas by a Declaration of Trusts bearing date the twenty-sixth day of August, one thousand nine hundred and twenty-six the said Maurice Joseph Barry and Francis William Sutton Cumbrae Stewart did declare that they and the survivor or survivors of them and other the Trustee or Trustees for the time being would stand possessed of all money of the Oxley Centenary Fund and the income therefrom and all money which might thereafter be added or given to the said Fund upon trust for the purposes therein set forth including the application thereof in the establishing and maintaining in perpetuity in accordance with the said Declaration of Trusts and subject to the powers and provisions therein contained of a Library for promoting the study and general knowledge of literature of Queensland authors and writers and of literature relating to Queensland :

And whereas the Trustees accordingly set up an Oxley Memorial as aforesaid at North Quay in the City of Brisbane and also established the Oxley Memorial Library of Queensland which Library for some years has been housed in the building known and used as the Public Library of Queensland at Brisbane :

And whereas by an Indenture dated the twenty-fourth day of September, one thousand nine hundred and twenty-nine the said Maurice Joseph Barry retired from the said Trusts :

And whereas the Mayor of the City of Brisbane (which term it was agreed and declared should mean and include the person acting for the time being and from time to time as the Mayor of the said city and when necessary the Vice-Mayor) was appointed a Trustee in place and stead of the said Maurice Joseph Barry :

And whereas following the death of the said Francis William Sutton Cumbrae Stewart on the twenty-fourth day of March, one thousand nine hundred and thirty-eight the Public Curator of Queensland, in exercise of the power given to him in that behalf by the said Brisbane Centenary Celebrations Committee and by the provisions of the said Declaration of Trusts, did appoint the Under Secretary of the Chief Secretary's Department of the State of Queensland and the person who shall for the time being and from time to time occupy that position to be a Trustee of the said Trust Fund and of the said Library in place and stead of the said Francis William Sutton Cumbrae Stewart :

And whereas the present Trustees of the said Trust Fund and of the said Library are John Beals Chandler, the Lord Mayor of the City of Brisbane, and Thomas Gilbert Hope, the Under Secretary of the Chief Secretary's Department of the State of Queensland :

And whereas the said Trustees are desirous of relinquishing the trusts imposed upon them and their successors by the said Declaration of Trusts and of transferring to and vesting in the Library Board of Queensland established by "The Libraries Act of 1943" the assets of the said Trust Fund, and the Public Curator of Queensland being the person in whom the power of appointing new Trustees of the said Trust Fund is vested has consented to the transfer to and vesting in the Library Board of Queensland of such assets as aforesaid—

Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows :—

Act referred to:

Libraries Acts, 1943 to 1949, p. 685, *ante*.

The Board is established by s. 5 of the above Acts.

1. Short title. This Act may be cited as "The Oxley Memorial Library of Queensland Act of 1946."

2. Oxley Memorial Library vested in the Library Board of Queensland. On and from the passing of this Act the Oxley Centenary Fund, including all moneys, investments, books, pamphlets, manuscripts, reports, newspapers, pictures, engravings, works of art, maps and other chattels and property comprised in or forming part of the Oxley Memorial Library of Queensland, shall be divested from the Trustees of the Oxley Centenary Fund and shall be transferred to and shall vest in the Library Board of Queensland established by "The Libraries Act of 1943" as part of the Public Library of Queensland.

The Trustees of the said Oxley Centenary Fund shall do all such acts, matters and things and shall execute and deliver to the Library Board of Queensland all such transfers, assurances, assignments and

documents as shall be necessary to give effect to such transfer and vesting.

Act referred to:

Libraries Acts, 1943 to 1949, this title p. 685, *ante*.

3. Oxley Memorial Library to be maintained as a separate library. All books, pamphlets, manuscripts, reports, newspapers, pictures, engravings, works of art, maps and other chattels and property which were comprised in or formed part of the Oxley Memorial Library of Queensland at the passing of this Act and all additions thereto and enlargements thereof which may from time to time or at any time hereafter be made by the Library Board of Queensland (which additions and enlargements the Library Board of Queensland is hereby authorised and empowered to make) shall be housed in the Public Library of Queensland in a separate portion thereof or in a separate building set aside or erected for the purpose as a segregated collection and shall continue to be known as "The Oxley Memorial Library of Queensland," which Library shall have as its object the promotion of the study and general knowledge of Australian literature and of literature relating to Australia.

4. Advisory Committee for Oxley Memorial Library. The Library Board of Queensland shall appoint an advisory committee for and in respect of the Oxley Memorial Library of Queensland. Such committee shall be known as the "Oxley Memorial Library Advisory Committee" and shall consist of members and associate members of the Library Board of Queensland chosen or added for their knowledge and interest in the field of the collection.

It shall be the duty of the said Committee to advise the Library Board of Queensland from time to time on all matters relating to the Oxley Memorial Library of Queensland including the management, custody, care, control and/or enlargement thereof.

