

St. John's Gordon Mortgaging, 1923.

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AN ORDINANCE authorising the mortgaging of certain lands situate in Gordon Road Gordon in the County of Cumberland such land being more particularly described in the First and Second Schedules hereto and to provide for the application of the proceeds thereof.

WHEREAS by Grant from the Crown dated the seventeenth day of August One thousand eight hundred and seventy-one Registered Volume 124 Folio 206 certain land therein particularly described and situate at Gordon in the State of New South Wales was granted unto Robert Pymble William Henry McIntosh and John Brown their heirs and assigns for ever UPON TRUST for a Church of England Parsonage AND WHEREAS the said land lies within the boundaries of the Parish of Gordon at Gordon aforesaid AND WHEREAS a building for Parsonage purposes has been erected upon the said land being the land described in the First Schedule hereto AND WHEREAS by a further Grant from the Crown dated the seventeenth day of August One thousand eight hundred and seventy-one Registered Volume 124 Folio 207 certain lands therein particularly described and situate at Gordon aforesaid were granted unto the said Robert Pymble William Henry McIntosh and John Brown their heirs and assigns for ever upon trust for a Church of England School AND WHEREAS the said land lies within the boundaries of the said Parish AND WHEREAS a School House for the purposes of the Church of England in the said Parish has been erected upon the said land being the land described in the Second Schedule hereto AND WHEREAS by a further Grant from the Crown dated the seventeenth day of August One thousand eight hundred and seventy-one Registered Volume 124 Folio 208 certain lands therein particularly described and situate at Gordon aforesaid were granted unto the said Robert Pymble William Henry McIntosh and John Brown their heirs and assigns for ever UPON TRUST for a Church of England Church AND WHEREAS the said land lies within the boundaries of the said Parish AND WHEREAS a Church of England Church has been erected upon the said lands AND WHEREAS the lands described in the said recited Crown

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Grants have become vested in the Church of England Property Trust Diocese of Sydney (hereinafter designated the said Trust) AND WHEREAS it is considered desirable to erect a new Church at Gordon upon the lands comprised in the lastly hereinbefore recited Crown Grant Registered Volume 124 Folio 208 but in order to pay for the same it is necessary that money should be raised on the security of the lands described in the First and Second Schedules hereto and the buildings erected thereon to secure the repayment of any money so borrowed as aforesaid with interest thereon AND WHEREAS it is expedient that an advance or advances of money not exceeding in the aggregate the sum of Two thousand pounds should be obtained upon the security of the said lands and buildings comprised in the First and Second Schedules hereto for the purpose aforesaid AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid Trusts it is expedient to mortgage the lands described in the First and Second Schedules hereto AND WHEREAS by an Act of Parliament passed in the eighth year of the reign of His Majesty King George V. entitled the Church of England Trust Property Act 1917 (No. 21) it was enacted that during the recess of the Synod a committee council or other body of persons appointed for that purpose by Ordinance of Synod might in place of such Synod exercise such of the powers and functions referred to in such Act as should be determined by Ordinance of the Synod AND WHEREAS by Ordinances of the Synod passed in the year One thousand nine hundred and eighteen and in the year One thousand nine hundred and twenty-one the Standing Committee was appointed for the purpose of exercising and accordingly might during the recess of the Synod of the Diocese exercise in the place of such Synod all or any of the powers and functions and do and make all or any of the things referred to in Sections 26 to 31 (inclusive) constituting Part VI. of the said Act and Section 32 constituting Part VII. of the said Act Now the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the said Act and Ordinances and in pursuance of the powers vested in Synod by the Constitutions for the management and good government of the Church of England within the State of New South Wales and by the Church of England Trust Property Act 1917 or otherwise in

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the name and in place of such Synod ordains declares rules and directs as follows:--

1. By reason of circumstances subsequent to the creation of the said recited trusts it is expedient and authority is hereby given to obtain from time to time an advance or advances of money not exceeding in the aggregate the sum of Two thousand pounds on the security of the lands comprised in the First and Second Schedules hereto and the buildings erected thereon.

2. That the said lands described in the First and Second Schedules hereto and the buildings erected thereon as aforesaid and the appurtenances thereto may be from time to time mortgaged to secure the repayment of the moneys so authorised to be borrowed aforesaid.

3. That the amount or amounts so to be from time to time raised shall be paid by the said Trust to the Churchwardens for the time being of the Church of St. John Gordon (whose receipt shall be a sufficient discharge) and shall be by them applied as follows:--

- (a) to pay the costs and expenses of and incidental to this Ordinance and of any mortgage or mortgages executed in pursuance of this Ordinance;
- (b) in or towards the payment of the costs of the alteration of St. John's Church aforesaid and of the erection of a new Church for the Parish of Gordon.

4. That the said pieces of land and all buildings thereon may be mortgaged from time to time for the purpose of raising any sum or sums of money not exceeding in the aggregate the sum of Two thousand pounds with which to discharge or renew the mortgage or mortgages now authorised or any mortgage or mortgages substituted therefor and any interest accrued due in respect thereof Provided however that after the expiration of Ten years from the passing of this Ordinance no renewal of any mortgage shall be valid for a larger sum than £1500 and thereafter the principal sum shall be reduced at the rate of at least £100 per annum.

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5. This Ordinance shall be styled and cited as "St. John's Church Gordon Mortgaging Ordinance of 1923."

FIRST SCHEDULE REFERRED TO.

All that piece or parcel of land containing an area of two roods or thereabouts situate at Gordon in the Parish of Gordon County of Cumberland State of New South Wales being the whole of the land comprised in Crown Grant under the provisions of the Real Property Act dated the seventeenth day of August One thousand eight hundred and seventy-one Registered Volume 124 Folio 206 together with the Parsonage erected thereon.

SECOND SCHEDULE REFERRED TO.

All that piece or parcel of land containing an area of two roods or thereabouts situate at Gordon in the Parish of Gordon County of Cumberland State of New South Wales being the whole of the land comprised in Crown Grant under the provisions of the Real Property Act dated the seventeenth day of August One thousand eight hundred and seventy-one Registered Volume 124 Folio 207 together with the School House erected thereon.

Ordinance considered in Committee and passed without amendment.

A. J. GOULD,

Chairman of Committee.

14th August, 1923.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this fourteenth day of August, 1923.

C. R. WALSH,

Secretary,

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

14th August, 1923.