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*St. Paul's Kogarah Resumption Moneys Ordinance 1948.*

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No. 7, 1948.

AN ORDINANCE to determine the trust and application of certain compensation money paid in respect of the resumption by the Crown of certain land held in trust for the Parish of St. Paul's, Kogarah; and for purposes connected therewith.

WHEREAS the lands described in the First Schedule to St. Paul's Kogarah Resumption Ordinance of 1925 (hereinafter called the 1925 Ordinance) were held in trust for certain purposes in the parish of St. Paul's Kogarah.

AND WHEREAS prior to the passing of the 1925 Ordinance the land described in the Second Schedule thereto, being part of the lands described in the First Schedule thereto were resumed by the Crown and such Ordinance (inter alia) declared the trusts upon which the compensation money paid by the Crown in respect of such resumption should be held and also declared that the land described in the said First Schedule excluding the land described in the said Second Schedule should be held upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the said Parish.

AND WHEREAS St. Paul's Kogarah Resumption Moneys Ordinance 1929 directed that so much of the said resumption money as had not then been applied and the income therefrom should be applied in manner set forth in clause one of such Ordinance.

AND WHEREAS by Notification of Resumption dated the seventh day of April 1943 published in Government Gazette No. 44 of the twenty-second day of April 1943 certain lands therein described being a further portion of the lands described in the

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said First Schedule were resumed by the Crown and there was paid and received by way of compensation for such resumption the sum of Seven hundred and twenty-five pounds (£725) together with a sum of One hundred and thirty-three pounds nine shillings and three pence (£133 9s. 3d.) as interest thereon making in all the sum of Eight hundred and fifty-eight pounds nine shillings and three pence (£858 9s. 3d.).

AND WHEREAS by reason of such last mentioned resumption it is impossible to carry out or observe the trusts under which the lands thereby resumed were held and it is expedient to declare the manner in which the said sum of Eight hundred and fifty-eight pounds nine shillings and three pence (£858 9s. 3d.) and the income therefrom shall be applied.

Now the Standing Committee of the Synod of the Diocese of Sydney declares and ordains as follows:—

1. By reason of circumstances subsequent to the creation of the said trusts of the land resumed as aforesaid on the seventh day of April 1943 it has become impossible to carry out or observe the same and inexpedient to apply the compensation money paid in respect of such resumption for the purposes of such trusts save as hereinafter provided.

2. The said sum of Eight hundred and fifty-eight pounds nine shillings and three pence (£858 9s. 3d.) and the income therefrom shall be applied as follows:—

- (a) In payment of all costs charges and expenses of and incidental to or occasioned by the last mentioned resumption and of this Ordinance.
- (b) In expending and applying so much of the said moneys as the Parish Council with the approval of the Archbishop of Sydney shall deem expedient in rebuilding restoring repairing improving and adding to the Church of St. Paul Kogarah or the Church Trust Property at Kogarah held in connection therewith or in one or more of these objects including all the costs charges and expenses incidental to the carrying out of such work.

3. This Ordinance may be cited as "St. Paul's Kogarah Resumption Moneys Ordinance 1948."

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I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

R. C. ATKINSON,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 28th day of June, 1948.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

C. VENN PILCHER, Bishop.

29th June, 1948.