
St. Peter's (Richmond) Resumption, 1926.

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AN ORDINANCE to authorise the Trustees of The St. Peter's Church of England Richmond in the State of New South Wales to receive from the Metropolitan Board of Water Supply and Sewerage (now the Metropolitan Water Sewerage and Drainage Board or out of Court compensation money agreed to be paid in respect of the resumption by the said Board of part of certain land situate at the corner of Windsor Street and Chapel Street in the Town and Municipality of Richmond.

WHEREAS by Crown Grant dated the Seventeenth day of May One thousand eight hundred and fifty-two to the Church of England as comprised within the Register of Grants to the Churches of England No. 3 (Book 332) page 18 certain lands situate in the Town of Richmond Parish of Ham Common County of Cumberland and State of New South Wales were thereby vested in Henry Tarlton Stiles Thomas Bell and William Bowman their heirs and assigns for ever Upon Trust for the appropriation thereof as a site of a dwelling house garden and other appurtenances for the Clergyman duly appointed to officiate in the Church of the United Church of England and Ireland as by law established erected at Richmond AND WHEREAS by Certificate dated the first day of December One thousand nine hundred and twenty-five John Charles Wright Archbishop of Sydney did thereby certify in accordance with the Church of England Trust Property Act 1917 Section 34 that William MacDonald Helsham and Ronald George Ferguson are the duly constituted Trustees of the said parcel of land and that they were respectively appointed as such Trustees on the eleventh day of September One thousand nine hundred and sixteen AND WHEREAS by virtue of the powers given by the Public Works Act 1912 No. 45 notification whereof was published in the Government Gazette on Second day of May One thousand nine hundred and twenty-four No. 60 -Page 2179 and in the Daily Guardian newspaper circulating in the City of Sydney and State of New South Wales dated

the Fifteenth day of May one thousand nine hundred and twenty-four part of the said lands being that part more particularly described in the Schedule hereto were resumed for certain purposes to be used in future by the Metropolitan Board of Water Supply and Sewerage now the Metropolitan Water Sewerage and Drainage Board AND WHEREAS by agreement dated the Eleventh day of February One thousand nine hundred and twenty-four the said Metropolitan Board of Water Supply and Sewerage agreed to pay compensation for the resumption of the land more particularly described in the Schedule hereto in the sum of Three hundred pounds AND WHEREAS it is expedient that power should be conferred upon the said William MacDonal Helsham and Ronald George Ferguson as such Trustees as aforesaid to apply the said compensation money in and towards the erection of a building on land already held by them to be rented for the purpose of producing income for the said St. Peter's Church and in and towards payment of all costs charges and expenses of the said Trustees of and incidental to the said resumption not otherwise provided for by the said Public Works Act and to this Ordinance Now the Standing Committee of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Church of England Trust Property Act 1917 and Ordinances of Synod passed in the years One thousand nine hundred and eighteen One thousand nine hundred and twenty-one and One thousand nine hundred and twenty-three appointing the Standing Committee for the purpose of exercising during the recess of Synod the powers and functions in the said Ordinances referred to and in pursuance of the powers vested in the said Synod by the Constitutions for the management and good government of the Church of England in the State of New South Wales or otherwise in the name and place of such Synod ordains declares and rules as follows:—

1. In the construction of and for the purposes of this Ordinance the following expressions shall bear the respective meanings set against them—

- (a) "The said Trustees" William Macdonald Helsham and Ronald George Ferguson their duly constituted successors and assigns.

- (b) "Compensation Money" The money paid or payable as compensation for the resumption of the lands described in the Schedule hereto including any interest thereon.

2. The said Trustees are hereby authorised to receive from the Metropolitan Water Sewerage and Drainage Board (formerly known as the Metropolitan Board of Water Supply and Sewerage) or out of Court the amount of compensation money agreed to be paid by the said Board in respect of the resumption by the said Board of the said land comprised in the Schedule hereto or in the event of the said respective compensation moneys and interest being paid into Court the said Trustees are hereby authorised to receive the same from the Master in Equity with all interest due thereon.

3. The said Trustees are hereby authorised to give and execute an effectual Conveyance of the said land contained in the Schedule hereto.

4. The said Trustees are hereby authorised to apply the said compensation money to be received by them as aforesaid firstly in and towards payment of all costs charges and expenses of the said Trustees of and incidental to the said resumption not otherwise provided for by the said Public Works Act and to this Ordinance and secondly in and towards the erection of a building on the residue of the said land so subject to the Trusts aforesaid such building to be let or leased as the case may require for the purpose of producing income for the said St. Peter's Church and shall from time to time pay to the Churchwardens for the time being of such Church the nett income so to arise to be administered in accordance with the Sydney Church Ordinance. PROVIDED HOWEVER that section 14 of the Sydney Church Ordinance 1912 be adhered to in connection with the erection of the said building AND PROVIDED FURTHER that the consent of the Archbishop shall be obtained before such building is let or leased as aforesaid and that in any letting or lease entered into by the said Trustees specific provision shall be made therein debarring Sunday trading, sale of intoxicating liquors and any such similar provision the Archbishop may from time to time require,

5. Any part of the said purchase money and the accumulations of income arising therefrom in the possession of the said Trustees and not immediately required to be applied as aforesaid may until such application be invested by the said Trustees in any one or more of the investments following that is to say:—

- (a) The purchase of real estate.
- (b) Any public funds or Government Stock or Government securities bonds debentures inscribed stock or treasury bills of or guaranteed by the Federal Government or the Government of any State in the Commonwealth of Australia.
- (c) First mortgage on real property situated within the said Commonwealth.
- (d) Stocks funds or securities in or upon which by any general order cash under the control of any Court of Equity within the Commonwealth may from time to time be invested.
- (e) Debentures of any Harbour Trust or Board of Works within the Commonwealth.
- (f) Municipal debentures of any State Capital.
- (g) Mortgage bonds under any of the Savings Bank Acts the Federal Government or any State within the Commonwealth.
- (h) Deposits in any Government Savings Bank within the Commonwealth.
- (i) On fixed deposit in any Bank carrying on business in the State of New South Wales.

And the Trustees may from time to time vary or release or raise any money on the security of such investments.

6. The receipt in writing by the Churchwardens for the time being of the Parish of St. Peter's Richmond aforesaid shall be a sufficient discharge for any moneys paid under the authority of this Ordinance and the person paying the same shall not be concerned to see to the application of the moneys so paid or be responsible for the loss or misapplication thereof.

7. The said Trustees shall pay to the Home Mission Society of the Diocese of Sydney an amount equal to five pounds per

centum of the nett Compensation money received and the receipt of the Treasurer for the time being of the said Home Mission Society shall be a sufficient discharge to the said Trustees for any such payment made by them.

8. This Ordinance shall be styled or cited as "The St. Peter's (Richmond) Resumption Ordinance of 1926."

THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situate within the Town of Richmond Parish of Ham Common, County of Cumberland and State of New South Wales being part of Crown Grant dated Seventeenth May One thousand eight hundred and fifty-two to the Church of England as comprised within the Register of Grants to the Churches of England No. 3 Book 392 Page 18 and originally vested in the Reverend Henry Tarlton Stiles Thomas Bell and William Bowman as Trustees containing an area of two roods two and six-tenth perches or thereabouts: Commencing at the intersection of the south-western building line of Windsor Street with the north-western building line of Chapel Street and bounded on the north-east by part of the south-western building line of Windsor Street bearing two hundred and eighty-nine degrees twenty minutes one hundred and fifty feet, thence on the north-west by a line bearing one hundred and ninety-eight degrees thirty-eight minutes one hundred and fifty feet thence on the south-west by a line parallel with Windsor Street bearing one hundred and nine degrees twenty minutes one hundred and fifty feet to the north-western building line of Chapel Street abovementioned and thence on the south-east by part of that building line bearing eighteen degrees thirty-eight minutes one hundred and fifty feet to the point of commencement (All bearings relative to the Magnetic Meridian Azimuth taken from Deposited Plan No. 5905).

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

A. J. GOULD,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney, this twenty-fifth day of January, 1926.

C. R. WALSH,

Secretary.

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

8th February, 1926.

