
*The Church of St. Thomas North Sydney Variation of Towers
Trust and Vestry Building Ordinance of 1940.*

No. 11, 1940.

AN ORDINANCE to vary the trusts of a fund known as King George V Memorial Tower Fund established by the Wardens of the Church of St. Thomas North Sydney AND ALSO to vary the trusts declared by the Will of the late Agnes Elizabeth Codrington in respect of a legacy to the said Fund AND ALSO for the purposes of and incidental to the said Fund and the said legacy and for other purposes.

WHEREAS by her Will bearing date the twenty-eighth day of February One thousand nine hundred and thirty Agnes Elizabeth Codrington of North Sydney in the State of New South Wales Spinster bequeathed to the Church Wardens for the time being of St. Thomas' Church North Sydney towards the Fund for completing the Tower of the said Church the sum of two hundred pounds AND WHEREAS on the seventeenth day of February One thousand nine hundred and thirty-one the said Agnes Elizabeth Codrington made a Codicil to her Will and on the seventh day of April One thousand nine hundred and thirty-two made a second Codicil to her said Will which revoked the said first Codicil but otherwise in no way affected the hereinbefore recited bequest AND WHEREAS the said Agnes Elizabeth Codrington died on the twenty-fifth day of January One thousand nine hundred and thirty-five and Probate of her said Will and second Codicil was on the second day of May One thousand nine hundred and thirty-five granted to Hamor Charles Elison Rich the sole Executor named in the said Will AND WHEREAS in the year One thousand nine hundred and thirty-six the Church Wardens of the Church of St. Thomas North Sydney established a Fund (hereinafter called the Fund) known as King George V Memorial Tower Fund for the purpose of completing the Tower of the said Church and certain sums of money were paid into the said Fund including the sum of one hundred and seventy-five pounds received from the Executor of the Will of the said Agnes Elizabeth Codrington in full settlement of the legacy hereinbefore referred to AND WHEREAS the Fund was vested in the Wardens for the time being of the Church of St. Thomas North Sydney and was invested and

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now amounts to three hundred and six pounds six shillings and threepence as at thirty-first March One thousand nine hundred and forty AND WHEREAS the Fund is insufficient to warrant commencement of the building of such Tower and the project has been abandoned AND WHEREAS the Vestry of the Church of St. Thomas North Sydney being built of wood and roofed with iron became in a serious state of disrepair and required to be demolished and rebuilt AND WHEREAS the Wardens have entered into a Contract for the erection of a new Vestry and the work is in progress AND WHEREAS the money available to the Wardens for the purpose of the said Contract is not sufficient to complete the work AND WHEREAS by reason of circumstances subsequent to the creation of the said trusts it has become inexpedient to carry out or observe the same and expedient that they should be varied in manner hereinafter appearing. NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod ordains and declares as follows:—

1. By reason of circumstances subsequent to the creation of the trusts declared by the said Will of the late Agnes Elizabeth Codrington and the trusts of the King George V Memorial Tower Fund it has become inexpedient to carry out or observe such trusts and it is expedient to use the said sum of three hundred and six pounds six shillings and threepence and all accretions in respect thereof in manner hereinafter appearing.

2. The said sum of three hundred and six pounds six shillings and threepence and all accretions in respect thereof (after payment thereof of all costs charges and expenses of and incidental to this Ordinance) shall be applied in or towards the purpose of completing the Vestry of the said Church of St. Thomas North Sydney.

3. The money referred to in Clause two herein may be paid to the Rector and/or Minister-in-charge and Church wardens for the time being of the said Church (whose receipt shall be a sufficient discharge) to enable them to discharge all the liabilities in connection with the work as set out in Clause two hereof.

4. This Ordinance shall be styled and cited as "The Church of St. Thomas North Sydney variation of Towers Trust and Vestry Building Ordinance of 1940."

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

W. J. G. MANN,

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 30th day of September One thousand nine hundred and forty.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.

October 1, 1940.