

Moore Bank Estate Compensation Moneys.

41916

AN ORDINANCE to direct the application of certain Diocesan moneys forming portion of certain compensation moneys and the interest accrued thereon paid to the Church of England Property Trust Diocese of Sydney in respect of the resumption of certain lands forming portion of the Moore Bank Estate and for other purposes.

WHEREAS by an Indenture of Release dated the second day of January One thousand eight hundred and thirty-nine made between Thomas Moore of the one part and the Right Reverend William Grant Broughton Lord Bishop of Australia of the other part certain lands known as Moore Bank containing altogether about six thousand three hundred and ninety-five acres were granted and released to the said William Grant Broughton Lord Bishop of Australia and to his successor and successors such Bishops as aforesaid to hold as to a certain part thereof containing two thousand and eighty acres upon trusts not material to this Ordinance and as to the remaining part thereof containing four thousand three hundred and fifteen acres more or less upon the special Trust that the said William Grant Broughton Lord Bishop of Australia and his successor and successors such Bishops of Australia as aforesaid should at all times thereafter yearly expend apply and dispose of the rents and profit thereof towards increasing the salaries or allowances of such clergymen of the United Church of England and Ireland as by law established as should be from time to time duly licensed by the said William Grant Broughton Lord Bishop of Australia and his successor and successors such Bishops of Australia as aforesaid to discharge the parochial duties of clergymen as aforesaid in the different parishes and places appointed for the celebration of religious worship within the State (then Colony) of New South Wales.

AND WHEREAS by a certain Decree of the Supreme Court of New South Wales in its Equitable Jurisdiction dated the twentieth day of March One thousand eight hundred and ninety-six and made in a suit instituted by an Information by the Attorney-General at the relation of the Very Reverend Dean Selwyn it was (*inter alia*) declared that the rents and profits of the said four thousand three hundred and fifteen acres of land or the income

1839

6395 acres

2080 acres
1435 "house decree
1896

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and interest of the proceeds of sale of the said lands or the investments representing the same ought to be applied towards increasing the salaries or allowances of such Clergymen as should from time to time be duly licensed by the Bishop of Sydney for the time being to discharge the parochial duties of clergymen as in the said Deed mentioned within the State (then Colony) of New South Wales in such proportion and proportions as the Bishop of Sydney for the time being should deem fit and necessary but subject to the proviso in the said Deed. AND WHEREAS the said four thousand three hundred and fifteen acres of land (*inter alia*) became duly vested in the Church of England Property Trust Diocese of Sydney. AND WHEREAS by Notification of Resumption dated the fifth day of March One thousand nine hundred and thirteen the said four thousand three hundred and fifteen acres of land or portion thereof were with other lands acquired by the Commonwealth of Australia under the Lands Acquisition Act 1906 for Defence purposes at Liverpool New South Wales. AND WHEREAS the compensation moneys payable in respect of the resumption of the said four thousand three hundred and fifteen acres of land or portion thereof together with interest thereon up to a certain date amounting to three thousand four hundred and forty-three pounds have with other compensation moneys been paid to the said Property Trust. AND WHEREAS by reason of circumstances which have occurred since the creation of such trusts it has become inexpedient to carry out or observe the particular purpose or purposes to which the said amount of interest is by the said trusts devoted and it is expedient that the same should be applied in manner hereinafter specified. AND WHEREAS the Archbishop of Sydney has given his consent in writing to this Ordinance. AND WHEREAS the said Thomas Moore is not now living. The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the Church of England Property Act of 1889 ordains declares directs and rules as follows:—

1. By reason of circumstances which have occurred since the creation of the said recited trusts it has become inexpedient to carry out or observe the particular purposes to which the said amount of interest is by the said trusts devoted.

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2. The said amount of interest or so much thereof as the Church of England Property Trust Diocese of Sydney may determine may be applied in or towards defraying the cost of altering and making additions to and furnishing the Deanery Building adjacent to St. Andrew's Cathedral.

3. The balance if any of the said amount of interest not applied in manner hereinbefore specified may be applied in such manner as the Synod shall by Rule or Ordinance specify.

4. This Ordinance may be cited as "Moore Bank Estate Compensation Moneys Partial Application Ordinance 1916."

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

E. W. MOLESWORTH,
Chairman of Committees.

We certify that this Ordinance was passed on 30th May, 1916.

E. CLAYDON } *Secretaries of*
W. R. BEAVER } *the Synod.*

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

~~28th June 1916.~~
