

*Cathedral Property Mortgage.*

2,1894  
 AN ORDINANCE to authorise the mortgage of certain land situate in George-street in the City of Sydney and to provide for the application of the proceeds thereof.

*(Assented to 28 September, 1894.)*

WHEREAS by an Indenture bearing date the second day of January in the year of Our Lord, one thousand eight hundred and thirty-nine made between Thomas Moore of Liverpool in the County of Cumberland in the Colony of New South Wales Esquire of the one part and the Right Reverend William Grant Broughton Doctor of Divinity Lord Bishop of Australia of the other part the land described in the Schedule hereto marked A was released and confirmed by the said Thomas Moore to the said William Grant Broughton Lord Bishop of Australia and to his Successor and Successors such Bishops of Australia as aforesaid for ever upon trust nevertheless and to for and upon the several uses trusts provisos conditions and purposes hereinafter mentioned of and concerning the same and to for and upon no other use trust or purpose whatsoever that is to say—That the said William Grant Broughton Lord Bishop of Australia and his Successor and Successors such Bishops of Australia as aforesaid for the time being shall and do dispose of apply and expend the rents issues and profits of the said land hereditaments and premises in and towards the building and erecting the Cathedral Church of St. Andrew now erecting in the said town of Sydney until the same shall be finished and completed for the due celebration of Public Worship therein according to the Rites and Ceremonies of the United Protestant Church of England and Ireland as by law established And when and so soon as the said Cathedral Church shall be so finished and completed for the celebration of such Public Worship then upon this further trust that the said

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William Grant Broughton Lord Bishop of Australia and his Successor and Successors such Bishops of Australia as aforesaid for the time being shall and do from time to time as he or they may think fit proper or necessary dispose of apply and expend the said rents issues and profits of the said land hereditaments and premises in and towards the support maintenance upholding and repairs of the building decoration ornaments and furniture of the said Cathedral Church of Saint Andrew for the purpose of Public Worship during and so long as the said Cathedral Church shall be solely used and appropriated for the Celebration of Public Worship therein according to the Rites and Ceremonies of the United Protestant Church of England and Ireland as by law established. And whereas the said land is now vested in the Most Reverend William Saumarez Smith Lord Bishop of Sydney as successor to the said Lord Bishop of Australia. And whereas certain debts and liabilities have been incurred in improving the said land by the erection of buildings thereon and in connection with the said Cathedral Church of Saint Andrew Sydney as set out in the Schedule hereto marked B. And whereas it is expedient in the interests of the Church of England in this Diocese that an advance of money should be obtained upon the security of the said land hereditaments and premises for the purpose of carrying out and giving effect to the trusts attached to the same and in discharging the said debts and liabilities. 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 United Church of England and Ireland within the Colony 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.—That it is expedient to obtain an advance of

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money upon the security of the said land hereditaments and premises for the purpose of carrying out and giving effect to the trusts attached to the same and in discharging the debts and liabilities aforesaid.

2.—That the said land hereditaments and premises may be mortgaged for a sum not exceeding seven thousand five hundred pounds which sum is hereby authorised to be obtained by way of advance upon the security of the said land hereditaments and premises.

3.—That the sum so to be raised as aforesaid shall be paid to the Chapter of the said Cathedral Church of Saint Andrew Sydney and shall be applied (after the payment thereof of the costs charges and expenses of and incidental to this Ordinance and the mortgage of the said land in pursuance thereof) to the discharge of the said debts and liabilities.

4.—That the said land hereditaments and premises may be mortgaged from time to time for the purpose of raising any sum or sums which shall be applied in the discharge or renewal of the first-mentioned mortgage or any mortgage or mortgages raised in substitution for the purpose of discharging the same, and of any interest accrued thereon.

5.—That it is inexpedient to confine the appropriation of the rents to the purposes of the said express trust.

6.—That this Synod declares and directs that the rents and profits to be received from time to time for the said land hereditaments and premises shall be applied to the payment of the interest to accrue due on any such mortgage as aforesaid and any balance after such payment of interest shall be applied towards the repairs support and maintenance of the said Cathedral the Chapter House and Deanery and towards conducting the services at the said Cathedral which objects this Synod declares to be as nearly as may be in accordance with the trusts

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of the hereinbefore recited Indenture according to the existing circumstances of such trust and any sums not required for any of the aforesaid purposes shall be appropriated in reduction of the principal sum owing.

7.—This Ordinance shall be styled and cited as "The Saint Andrew's Cathedral Property Mortgage Ordinance of 1894."

## SCHEDULE A.

All that piece or parcel of land containing sixty-eight and three quarters rods of land lying and situated in the town of Sydney bounded on the East by George Street bearing North one hundred and three and a half feet; on the North by Essex-lane bearing West seven degrees South one hundred and seventy-eight feet; on the West side by a line South ten degrees West one hundred and four feet; and on the South by a line East six degrees North one hundred and ninety-six feet.

## SCHEDULE B.

Debt incurred in the erection of buildings

on land described in Schedule A . . . . .	£2346	17	4
Debt on Cathedral and Deanery . . . . .	£1988	8	7
Debt on Chapter House . . . . .	£3078	12	11

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