

*Ryde Resumption Moneys Application.*

12/1916

AN ORDINANCE to provide for the application of certain compensation and other moneys held by the Church of England Property Trust Diocese of Sydney and the Archbishop of Sydney respectively UPON TRUST for the Parish of St. Anne's Ryde. AND to authorise the demolition of the old Rectory buildings in the said Parish and the sale of the building material thereof and to provide for the application of the proceeds of such sale.

WHEREAS by virtue of an Indenture of Release bearing date the eighth day of May One thousand eight hundred and thirty-nine grounded on a lease for a year and made between James Devlin and Susannah Devlin of the first part Thomas Small and Priscilla Small of the second part and the Bishop of Australia of the third part Registered No. 501 Book P. ALL THAT piece or parcel of land containing by estimation three acres three roods and thirty-five perches being part of thirty acres of land to be known by the name of Small farm lying and situate at the eastern Farms adjoining Jones Farm which said three acres three roods and thirty-five perches are bounded on the north by the Glebe Road five chains twenty-five links on the east by the Glebe Road five chains and eighty-two links on the south by other part of the said thirty acres four chains and ninety-five links and on the west by other part of the said thirty acres five chains and eighty-two links (the said land being situate at Ryde in the State of New South Wales and hereinafter referred to as the Rectory land) was assured unto and to the use of the Bishop of Australia and his successors Bishops of Australia for ever subject to the annual quit rent payable to the Crown and to the other rights of the Crown. AND WHEREAS the said Rectory land has been held since the execution of the said recited Indenture UPON TRUST as a site for a Rectory in connection with the Parish of St. Anne's Ryde in the State of New South Wales. AND by Declaration of Trust under the hand and seal of John Charles Wright Archbishop of Sydney bearing date the twenty-eighth day of November One thousand nine hundred and sixteen it was declared that the said Archbishop of Sydney held the said land UPON TRUST to

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permit the same to be used for a site for a dwelling house for the Clergyman from time to time appointed to officiate as Rector in the Parish of St. Anne's Ryde but subject to the powers and provisions conferred by or contained in any Ordinance or Ordinances affecting the same or any part thereof and also subject to any sale or other disposition of any part of the said land heretofore made. AND WHEREAS a certain portion of the said Rectory land has been lately resumed by the Commonwealth of Australia for the purposes of a Post Office and the sum of Three hundred pounds compensation money has been paid to and is now held by the Church of England Property Trust Diocese of Sydney in respect of the said resumption. AND WHEREAS certain other portions of the said Rectory land have been lately acquired by the Council of the Municipality of Ryde for the purpose of widening certain roads to which the said Rectory land now has frontage and known as Devlin and Church Streets Ryde and the sum of One hundred and six pounds ten shillings is now held by the Archbishop of Sydney as the compensation moneys paid in respect of the acquisition of such land. AND WHEREAS the Rectory built upon the said Rectory land and hitherto so used has become dilapidated and unfit for further use and it is impossible to further repair the same and it has become desirable that a new Rectory should be erected on the said Rectory land for the purposes of the said Parish. AND WHEREAS it is desirable that the Synod of the Diocese of Sydney should direct how and in what manner the said moneys shall be dealt with and applied. NOW THEREFORE 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 other powers vested in the said Synod by the Church of England Property Act 1889 ordains declares directs and rules as follows:—

1. By reason of circumstances which have arisen since the creation of the said recited trust it has become impossible to carry out or observe as to the land resumed by the Commonwealth of Australia as aforesaid and as to the lands acquired by the Council of the Municipality of Ryde as aforesaid the particular purpose or purposes to which the said lands were by the said recited Trust devoted.

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2. The said sum of Three hundred pounds now held by the Church of England Property Trust Diocese of Sydney in manner hereinbefore mentioned and any interest accrued thereon shall be handed over to the Archbishop of Sydney as Trustee of the said Rectory lands who shall hold the same for the purposes set forth in Clause 3 hereof.

3. The said respective sums of Three hundred pounds and One hundred and six pounds ten shillings and the interest accrued thereon shall after payment thereof of all costs and expenses of and incidental to this Ordinance be applied by the Archbishop of Sydney in or towards the cost of erecting upon other part of the said Rectory land another dwelling house to be used as a Rectory in connection with the Parish of St. Anne's Ryde.

4. The Trustee of the said land may arrange for the demolition of the Rectory at present standing upon the same and may sell the old building material arising therefrom either by public auction or private contract and in one or several lots and generally subject to such terms and conditions of sale as to the said Trustee may seem fit. The proceeds arising from such sale shall be applied in or towards the cost of the erection of such new dwelling house as aforesaid.

5. This Ordinance shall be styled and cited as the "St. Anne's Ryde Resumption Moneys 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 7th December, 1916.

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

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

14th December, 1916,