
*"St. Mary Magdalene (Wiseman's Ferry) Land Sale
(Amendment) Ordinance 1938."*

No. 5, 1938.

AN ORDINANCE to vary the trusts of certain land situated at Wiseman's Ferry County of Cumberland Parish of Cornelia and to amend the "St. Mary Magdalene (Wiseman's Ferry) Land Sale Ordinance of 1934" and for other purposes incidental thereto.

WHEREAS by grant from the Crown dated 9th May 1842 ALL THAT PIECE OR PARCEL OF LAND in the State of New South Wales containing by admeasurement 2 roods 20 perches be the same more or less situated in the County of Cumberland and Parish of Cornelia at Wiseman's bounded on the South-west by a line North-west two chains eighty links commencing at the Hunter's River Road; on the North-west by a line North-east two chains fifty links; on the North-east by a line South-east two chains and twenty-five links to the Hunter's River Road and on the South-east by that road (advertised as No. 9 in the Government Notice dated 8th February 1842) with all the rights and appurtenances whatsoever thereto belonging was granted unto Samuel Gonnerman Dalgety James Ascough Alexander Books Joseph Fleming and Thomas Green UPON TRUST for the erection thereon of a church of the United Church of England and Ireland as by law established and known as St. Mary Magdalene AND WHEREAS the said parcel of land is situated within the Diocese of Sydney and forms part of the ecclesiastical parish of Pitt Town and has become vested in the Church of England Property Trust Diocese of Sydney (hereinafter referred to as the Corporate Trustees) AND WHEREAS by circumstances subsequent to the creation of the aforesaid trusts it is expedient to vary the said trusts AND WHEREAS the Corporate Trustees stand possessed of the sum of £376/3/7 being the proceeds of the sale of the land referred to in the "St. Mary Magdalene (Wiseman's Ferry) Land Sale Ordinance of 1934" (hereinafter referred to as the Principal Ordinance) AND WHEREAS by reason of circumstances subsequent to the creation of the trusts of the said sum it is expedient to vary the said trusts Now the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod ordains declares directs and rules as follows:—

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1. By reason of circumstances subsequent to the creation of the said trusts of the said parcel of land it has become inexpedient to carry out or observe such trusts in their entirety and henceforth the said land shall be held upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England at Wiseman's Ferry.

2. By reason of circumstances subsequent to the creation of the trusts referred to in the Principal Ordinance it has become inexpedient to carry out or observe such trusts in respect to the said proceeds of sale.

3. The Principal Ordinance is hereby amended by inserting therein a new clause to be known as:—

4. (a) The Corporate Trustees are hereby authorised to apply the said balance of the said purchase money and the income to accrue thereon until such application in or towards the building of a Minister's dwelling on part of the said parcel of land in such manner as the Archbishop of Sydney shall approve (after the payment of all costs charges and other expenses incidental to this Ordinance and/or the matters contained therein).

4. This Ordinance shall be styled and cited as "St. Mary Magdalene (Wiseman's Ferry) Land Sale (Amendment) Ordinance 1938."

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 twenty-fifth day of July, 1938.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.

26th July, 1938.