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*Sydney Church of England Grammar School Council.*

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AN ORDINANCE authorising the Sydney Church of England Grammar School Council to mortgage the real and personal property vested in the said Council. :

WHEREAS by the Church of England Trust Property Act 1917 (Number 21) the Sydney Church of England Grammar School Council is constituted a body politic and corporate AND WHEREAS under and by virtue of the Sydney Church of England Grammar School Constitution Consolidation and Amendment Ordinance 1923 the said Council has the government of the School referred to in the said Ordinance and known as the Sydney Church of England Grammar School AND WHEREAS the Sydney Church of England Grammar School Council is registered as the proprietor in fee simple under the provisions of the Real Property Act of the whole of the land comprised in Certificates of Title registered volume 878 folio 153 and volume 964 folio 36 being the lands more particularly described in the first and second schedules hereto AND WHEREAS by virtue of three several Conveyances all dated the fourth day of February one thousand nine hundred and twenty from the said Church of England Property Trust Diocese of Sydney to the said Council and respectively registered Number 215 Book 1186 Number 216 Book 1186 and Number 217 Book 1189 the said Council is also seised of an estate in fee simple in those parcels of land respectively described in the third fourth and fifth schedules hereto AND WHEREAS the personal property described in the sixth schedule hereto has also been acquired by the said Council AND WHEREAS the whole of the real and personal property aforesaid is vested in the said Council upon trust for the purposes of the said school AND WHEREAS it is expedient by reason of circumstances subsequent to the creation of the said trust that the said Council should have express power to raise such sum or sums of money not exceeding in the aggregate the sum of fifteen thousand pounds (£15,000) as the said Council may consider necessary for carrying out the purposes hereinafter mentioned and that the said Council should be empowered to raise the said sum or sums upon the security of the said real and personal property more particularly described in the schedules hereto and for that purpose to mortgage the same NOW THERE-

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FOR the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Church of England Trust Property Act 1917 and the Ordinances of Synod passed in the years one thousand nine hundred and eighteen and one thousand nine hundred and twenty-one appointing the Standing Committee for the purposes of exercising during the recess of Synod the powers and functions in the said Ordinances referred to and in pursuance of the powers vested in the said Synod by the Constitutions for the management and good government of the Church of England within the State of New South Wales or otherwise in the name and place of such Synod ordains declares directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the said recited trust it is expedient and authority is hereby given for the Sydney Church of England Grammar School Council to raise from time to time an advance or advances of money not exceeding in the aggregate the sum of fifteen thousand pounds (£15,000) and to secure the repayment of such sum or sums of money so raised by mortgaging the said real and personal property vested in the said Council or any part thereof. The said Council may overdraw its account with any Bank in which the account of the said Council is from time to time being kept in any sum not exceeding the sum of fifteen thousand pounds (£15,000) and may secure the repayment of any moneys so overdrawn by mortgaging the said real and personal property to the said Bank for that purpose. Provided however that the total amount so raised by direct mortgage and/or overdraft shall not at any time exceed the sum of £15,000.

2. The said Council is hereby authorised and empowered to mortgage the said real and personal property or any part thereof by deposit of the title deeds or other evidence of title thereto or by executing such deeds memoranda or instruments of mortgage as the said Council may think fit and such deeds memoranda or instruments of mortgage may provide for the payment of interest at such rate or rates as the said Council may determine and may provide for the repayment of the principal sum on demand or at such period or periods as the said Council may determine and may be given to secure either a fixed or fluctuating

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amount and may generally contain such covenants provisoes terms and conditions as the said Council may determine.

3. Any person company corporation or institution of any kind so advancing any such sum or sums may pay the same to the Treasurer for the time being of the said Council or such other person as the said Council may by resolution appoint for and on behalf of the said Council and the receipt of the said Treasurer or such other person so appointed as aforesaid shall be a full and sufficient discharge to such person company corporation or institution so advancing the same.

4. The amount or amounts so to be from time to time raised shall be applied by the said Council to the following purposes:—

- (a) To pay the costs of and incidental to this Ordinance and of and incidental to any mortgage or mortgages executed by the said Council in pursuance thereof.
- (b) To pay for any real or personal property that may be purchased by the said Council from time to time for the purposes of the said School.
- (c) To pay for the erection of any new buildings upon any lands vested in the said Council from time to time or for remodelling adding to improving or renovating any such buildings.
- (d) To pay for any improvements that may be carried out by the said Council from time to time upon any of the said lands.

5. Any mortgages given by the said Council as aforesaid may be executed for and on behalf of the said Council by such person or persons being members of the said Council as the said Council may by resolution determine.

6. This Ordinance may be cited as the Sydney Church of England Grammar School Council Mortgaging Ordinance 1925.

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THE FIRST SCHEDULE REFERRED TO.

ALL THAT piece or parcel of land situate at St. Leonards in the Parish of Willoughby County of Cumberland containing three

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acres three roods twenty-nine and one half perches or thereabouts being the whole of the land comprised in Certificate of Title dated the twenty-eighth day of April one thousand eight hundred and eighty-eight registered volume 878 folio 153.

THE SECOND SCHEDULE REFERRED TO.

ALL THAT piece or parcel of land situate at Berry's Bay North Shore in the Parish of Willoughby County of Cumberland containing thirty and one half perches or thereabouts being the whole of the land comprised in Certificate of Title dated the thirty-first day of March one thousand eight hundred and ninety registered volume 964 folio 36.

THE THIRD SCHEDULE REFERRED TO.

ALL THAT allotment piece or parcel of land situate in township of St. Leonards North Sydney in the Parish of Willoughby County of Cumberland in the State of New South Wales bounded on the south by a fence being a line bearing westerly fifty-eight links on the west by a street at one time unnamed but now named Edward Street being a line bearing northerly four chains thirty links on the north by Mount Street being a line bearing easterly fifty-eight links and on the east by lot twenty-seven being a line bearing southerly four chains thirty links which said allotment or parcel of land is delineated as lot number twenty-eight on the plan of William Lithgow's subdivision and being the land comprised in Conveyance dated the fourth day of February one thousand nine hundred and twenty from The Church of England Property Trust Diocese of Sydney to the Sydney Church of England Grammar School Council registered number 215 book 1186.

THE FOURTH SCHEDULE REFERRED TO.

ALL THAT piece or parcel of land situated at North Sydney in the Parish of Willoughby County of Cumberland and State of New South Wales be the hereinafter mentioned several dimensions a little more or less containing by admeasurement one rood sixteen and one half perches more or less and forming parts of lots twenty-two twenty-three twenty-four and twenty-five fronting

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Mount Street as occupied of a subdivision of part of Thomas Walters' thirty-nine acres grant commencing at the north-eastern corner of six acres no roads twenty-five perches under application number 6620 Land Titles Office known as the Towers and bounded thence towards the south by part of the northern boundary of that land being a fenced line bearing south eighty-eight degrees thirty-three minutes west one hundred and fifty-five feet two inches thence towards the west by a fenced line dividing it from lot twenty-six as occupied of the subdivision aforesaid bearing north nineteen minutes west one hundred feet thence towards the north by a line dividing it from other parts of lots twenty-two twenty-three, twenty-four and twenty-five aforesaid bearing north eight degrees thirty-three minutes east one hundred and fifty-three feet three and one half inches and thence towards the east by part of the western boundary of lot seventeen and western boundaries of lots sixteen and fifteen of the said subdivision as occupied being a fenced line bearing south one degree twenty-four minutes east one hundred feet to the point of commencement and being the whole of the land comprised in Conveyance dated the fourth day of February one thousand nine hundred and twenty from The Church of England Property Trust Diocese of Sydney to the Sydney Church of England Grammar School Council registered number 216 Book 1186.

THE FIFTH SCHEDULE REFERRED TO.

ALL THAT piece or parcel of land situate lying and being in Parish of Willoughby County of Cumberland and State of New South Wales be the hereinafter mentioned dimensions a little more or less Commencing at a point on the south side of Mount Street forty-one feet nine inches easterly from its intersection with the eastern side of a roadway thirty feet wide leading to Messieurs Holtermans and Dibbs' premises and bounded on the north by Mount Street bearing easterly thirty feet on the east by the western boundary of Kemp's land bearing southerly two hundred and eighty-three feet nine inches on the south by part of the northern boundary of Holterman's land bearing westerly thirty feet and on the west by a fenced line bearing northerly two hun-



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dred and eighty-three feet nine inches to the point of commencement ALSO ALL THAT piece or parcel of land situate at Victoria North Shore in the Parish of Willoughby County of Cumberland and State of New South Wales being lot twenty-six and part of lot twenty-seven of subdivision of F. Walters' 39 acres Grant commencing on the south side of Mount Street at the north-west corner of lot twenty-five of said subdivision and bounded thence on the north by Mount Street bearing westerly forty-six feet seven inches thence on the west by a line dividing it from other part of said lot twenty-seven bearing southerly two hundred and eighty-eight feet eight inches thence on the south by a fenced line bearing easterly forty-six feet seven inches to lot twenty-five and thence on the east by a line dividing it from lot twenty-five bearing northerly two hundred and eighty feet nine inches to the point of commencement and being the whole of the land comprised in Conveyance dated the fourth day of February one thousand nine hundred and twenty from The Church of England Property Trust Diocese of Sydney to the Sydney Church of England Grammar School Council registered number 217 Book 1186.

THE SIXTH SCHEDULE REFERRED TO.

War Bonds to the value of £9000.

Various sums of money on fixed deposit amounting to £1,701 8s. 7d.

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

W. J. G. MANN,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this Twenty-seventh day of July, 1925.

C. R. WALSH,

Secretary.

I assent to this Ordinance.

JOHN CHARLES SYDNEY

31st July, 1925.