

S. Philip's Glebe.

2/1909

AN ORDINANCE to amend "The Sydney Church Ordinance"
(clause 34).

WHEREAS the Trustees for the time being of the Glebe annexed to the church known as S. Philip in pursuance of the provisions of the 21st Section of the Act 8 William IV No. 5 allotted certain sums of money by way of permanent yearly stipends out of the rents issues and profits of the said Glebe to the Ministers for the time being of certain churches.

AND WHEREAS the Trustees for the time being of the said Glebe omitted for certain years to make up full payment of the said sums to the Ministers for the time being of the said churches or some of them.

AND WHEREAS the Trustees for the time being of the said Glebe have been advised that by reason of a certain Decree of the Equity Court which was not appealed against and for other reasons they cannot now lawfully make up full payment of the said sums.

AND WHEREAS the said Decree was in truth erroneous as appears by the Judgment of the High Court of Australia given in a certain other suit carried on appeal to the said Court and it is just and right that full payment of the said sums should be made up to the said Ministers and the representatives of such of them as are deceased.

THE SYNOD OF THE DIOCESE OF SYDNEY in pursuance of the powers in that behalf conferred upon it by the Church of England Constitution Act Amendment Act of 1902 and of all other powers vested in the said Synod ordains and rules as follows:—

1. The Trustees for the time being of the said Glebe shall notwithstanding the provisions of the 34th. clause of "The Sydney Church Ordinance" hold the rents issues and profits of the said Glebe whether accrued or to accrue and any moneys representing the same upon trust to pay to the said Ministers as and by way of stipend for the year 1909 such sums respectively as are equivalent to the sums necessary to make up full payment of the said permanent yearly stipends to the said Ministers. PROVIDED that if any Minister now deceased would have been entitled if now living to participate in such payments as aforesaid there shall be paid out of such rents issues and profits as and by way of stipend for him such a sum as such Minister would have been entitled to receive under this Ordinance if he were living and such payment shall be made to his legal personal representatives.

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2. The said Trustees shall make up such full payment out of the said rents issues and profits and moneys next in order and priority of payment after the stipends to the Minister and to the Curate or Catechist for the time being of S. Philip Sydney to the Minister for the time being of Holy Trinity Church Sydney and to the Ministers for the time being of the several churches in respect whereof permanent yearly stipends were so allotted as aforesaid out of the rents issues and profits of the said Glebe.

3. This Ordinance may be cited as "The Sydney Church Ordinance Amendment Ordinance S. Philip Glebe."

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

EDW. H. ROGERS,
Chairman of Committees.

We certify that this Ordinance was passed on 10th day of December, 1909.

A. G. STODDART, { *Secretaries of*
W. R. BEAVER, { *the Synod.*

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

16th December, 1909.