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AN ORDINANCE to regulate the constitution of the Council of St. Catherine's Clergy Daughters' School and to make provision for the course of instruction to be imparted therein and for other matters in connection with the order and discipline thereof, and to vest certain Church Trust Property held in connection therewith, in the Church of England Property Trust Diocese of Sydney, and to vary the trusts declared with regard thereto.

WHEREAS the Institution known as St. Catherine's Clergy Daughters' School was founded in the year one thousand eight hundred and fifty six. AND WHEREAS by Crown Grant dated the fifteenth day of September One thousand eight hundred and fifty-seven recorded in the General Registry at Sydney in Register of Special Grants at Pages 218 to 219 certain land at Waverley near Sydney containing three acres two roods and three perches was granted to the Bishop of Sydney and his successors UPON TRUST to be used as a site for a School for the education of daughters of Clergymen of the Church of England AND WHEREAS subsequent to the issue of the said Crown Grant certain buildings were erected upon the said land which with additions and improvements added and made from time to time are now known as St. Catherine's Clergy Daughters' School. AND WHEREAS certain moneys were raised by subscription for the endowment of the said School which by Declaration of Trust dated the tenth day of March One thousand eight hundred and seventy-seven made by the Right Reverend Frederic Barker Metropolitan Bishop of Australia, the Very Reverend William Macquarie Cowper, the Reverend Stanley Mitchell, Edward Knox, and Thomas Buckland were declared to be held upon the trusts and for the ends intents and purposes and in manner therein mentioned. AND WHEREAS by the St. Catherine's Clergy Daughters' School Endowment Ordinance of 1911 the trusts of the said Declaration of Trust were varied as thereby provided. AND WHEREAS by Indenture of Conveyance dated the twenty-second day of January One thousand eight

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hundred and seventy-eight Registered Number 79 Book 191 and made between James Comrie therein described of the one part and the Bishop of Sydney of the other part certain lands at Kurrajong comprising eleven acres two roods and sixteen perches were conveyed to the Bishop of Sydney upon trust for the benefit of the said School. AND WHEREAS for some time past and at the present time the said School has been and is being conducted by the Archbishop of Sydney with the assistance of an Advisory Council consisting of the Archbishop of Sydney as President and Chairman, the Bishops of Goulburn, Riverina, Armidale, Newcastle, Bathurst, and Grafton as Vice-Presidents, the Trustees of the said Endowment Fund as ex officio members and other members consisting of Clergymen, Laymen and Women. AND WHEREAS it is expedient that provision should be made for the constitution and election of a Council and for vesting authority in such Council for such purpose. AND WHEREAS it is intended to vest in the Church of England Property Trust (Diocese of Sydney) the lands comprised in the hereinbefore recited Crown Grant and Conveyance and the said Endowment Fund and all other property subject to the same or the like trusts as the said lands and funds all of which property is hereinafter referred to as the said Church Trust property. AND WHEREAS in pursuance of the hereinbefore recited Ordinance moneys amounting in all to the total sum of Two thousand six hundred and forty-nine pounds thirteen shillings and sixpence (£2649 13s. 6d.) were advanced and applied by the Trustees of the said Endowment Fund in liquidating the debt previously incurred in making improvements and additions to the said School premises and in paying the costs of and incidental to further improvements additions and repairs thereto. AND WHEREAS the sinking fund in respect of such advance formed in pursuance of such Ordinance amounted on the Twenty-second day of July One thousand nine hundred and twenty-two to the sum of One thousand eight hundred and twenty-seven pounds sixteen shillings and sixpence (£1827 16s. 6d.) so that on the said last mentioned date there was a balance of Eight hundred and twenty-one pounds seventeen shillings (£821 17s. 0d.) still due in order to recoup to the Endowment Fund the advances and appropriations authorised by the said Ordinance. AND WHEREAS at the present time there are out-

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standing liabilities incurred in making alterations additions and repairs to the school buildings and grounds and it is expedient to spend additional moneys in making further alterations additions and repairs thereto and it is estimated that the total amount required to pay off such liabilities and to pay for such further alterations additions and repairs will amount to a sum not exceeding One thousand five hundred pounds (£1500). AND WHEREAS on the said Twenty-second day of July One thousand nine hundred and twenty-two the assets of the said Endowment Fund exclusive of the said sum of Eight hundred and twenty-one pounds seventeen shillings (£821 17s.) the unpaid balance of the former advance as aforesaid amounted to the sum of Five thousand six hundred and five pounds twelve shillings and sevenpence (£5605 12s. 7d.). AND WHEREAS it is expedient to authorise the Council of the said School to appropriate a sum not exceeding One thousand five hundred pounds (£1500) out of the said Endowment Fund for such purposes aforesaid and to make provision for the repayment to the said Endowment Fund of such sum together with the aforesaid balance of Eight hundred and twenty-one pounds seventeen shillings (£821 17s.) making in all a total amount not exceeding Two thousand three hundred and twenty-one pounds seventeen shillings (£2321 17s.) by payments of not less than One hundred and fifty pounds (£150) per annum. AND WHEREAS by reason of the hereinbefore recited facts it has become expedient to vary the trusts and directions contained in the hereinbefore recited Declaration of Trust and the hereinbefore recited Ordinance. 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 powers vested in the said Synod by the "Church of England Trust Property Act, 1917," or otherwise ordains declares directs and rules as follows:—

1. The name of the School shall be St. Catherine's Clergy Daughters' School.

2. The School shall be governed by a Council which shall be known as The Council of St. Catherine's Clergy Daughters' School.

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3. The members of the Council shall be the Archbishop of Sydney for the time being as President, the Dean of Sydney for the time being as Vice-President, the Diocesan Director of Education for the time being, and fifteen other persons, of whom twelve persons, namely, three Clergymen, three Laymen and six women, shall be elected by the Synod of the Diocese of Sydney, and three persons shall be appointed by the Archbishop of Sydney.

4. At meetings of the Council seven members shall form a quorum,

5. If any member of the Council other than the President Vice-President and the Diocesan Director of Education shall have been absent from three consecutive meetings of the Council without leave of the Council, the seat of such member shall become vacant if so declared by Resolution of the Council.

6. Any member of the Council shall ipso facto cease to be a member if he or she shall resign his or her seat or if his or her seat shall be declared vacant in pursuance of Clause 5 hereof.

7. With respect to the members of the Council elected by the Synod whenever there shall be a vacancy owing to the death or resignation of any member or by virtue of Clause 5 hereof, such vacancy shall be filled up by the appointment of a new member by the Synod, or, when the Synod is not in session, by the Standing Committee of the Synod. Any person so appointed by the Standing Committee of the Synod shall remain in office only until the next ordinary session of the Synod. With respect to the members of the Council appointed by the Archbishop, whenever there shall be a vacancy as aforesaid, such vacancy shall be filled up by the appointment of a new member by the Archbishop.

8. The first members of the Council other than the Archbishop, the Dean, the Diocesan Director of Education and the three persons to be appointed by the Archbishop shall be:—Canon Henry Wallace Mort, Canon Edward G. Cranswick, Rev. W. J. Cakebread, Mr. Thomas S. Holt, Mr. Leslie H. Spier, Mr. George Edward Hall, Mrs. J. C. Wright, Mrs. G. E. Hall, Mrs. J. M. Harvey, Mrs. C. E. Weigall, Mrs. W. J. Cakebread, Miss Eleanor Chase. The three persons to be appointed by the

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Archbishop shall be so appointed within three months after the passing of this Ordinance.

9. At each ordinary session of the Synod four of the twelve members of the Council elected by the Synod, namely, one clergyman, one layman and two women, shall retire from office, but shall be eligible for re-election. Such members shall retire in rotation according to the length of time of office Provided that where members have held office for an equal duration of time the member to retire may be determined by ballot taken amongst such members or in default of such determination by the Standing Committee of the Synod.

10. The three members of the Council to be appointed by the Archbishop shall be appointed in writing by the Archbishop and shall hold office for such period not exceeding three years as he shall direct. One shall retire at each ordinary session of the Synod and the Archbishop shall appoint a Successor within a period not exceeding three months after each ordinary session of the Synod.

11. The Council shall manage and carry on the said School and its affairs and shall govern and control the management and user of the trust property held in connection therewith in such manner as it may deem expedient for the benefit of the said School.

12. The Council shall determine the course of instruction to be imparted in the said School and all matters in connection with the order and discipline thereof.

13. Subject to the provisions hereof the Council may regulate its own proceedings and for that purpose shall have power to make rescind or alter regulations and may appoint and employ such officers as it may deem necessary and terminate such appointments.

14. The Council in exercise of the powers or the performance of any of the duties hereinbefore mentioned may by resolution authorise any person or persons to do any act or sign or execute any document on its behalf.

15. The Council shall at least once in every year, and also whenever a resolution shall be passed and communicated to them

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by the Synod of the Diocese of Sydney in that behalf report their proceedings and the progress and condition of the School to the Synod, and at the same time present a statement of receipts and expenditure and a duly audited Balance Sheet showing the financial position of the School.

16. The Synod hereby consents to the Church Trust Property referred to in the First and Second Schedules hereto being vested and the said property is hereby vested accordingly in the Church of England Property Trust (Diocese of Sydney) subject to the trusts to which the property is now subject.

17. The Church Trust Property referred to in the first and second Schedules hereto is hereby committed to the government and control of the said Council.

18. By reason of circumstances which have occurred since the date of the hereinbefore recited Declaration of Trust of the tenth day of March One thousand eight hundred and seventy-seven and the St. Catherine's Clergy Daughters' School Endowment Ordinance of 1911 it has become expedient to vary the trusts and directions in the said Declaration of Trust and Ordinance contained. The Council (without limiting their general power) shall have power to authorise (in addition to the balance remaining unpaid of the advances authorised by the said Ordinance as aforesaid) the appropriation of an additional sum not exceeding One thousand five hundred pounds (£1500) out of the said Endowment Fund for the repayment of moneys paid and liabilities incurred in connection with alterations additions and repairs to the school buildings and grounds and for the payment of the cost of further alterations additions and repairs to such building and grounds and the costs and expenses of and incidental thereto and to this Ordinance.

19. The application of the said advances so authorised as aforesaid up to in all the aggregate sum of Two thousand three hundred and twenty-one pounds seventeen shillings (£2321 17s.) shall be substituted so far as such application extends for the investments in the Declaration of Trust expressed and shall be deemed to be authorised investments on the part of the Church of England Property Trust (Diocese of Sydney) with respect to the Endowment Fund and the Declaration of Trust shall be deemed to be modified accordingly.

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20. The Council shall repay to the Church of England Property Trust (Diocese of Sydney) a sum of not less than One hundred and fifty pounds (£150) per annum in order to form a sinking fund to restore to the said Endowment Fund the total amount so appropriated and to be appropriated as aforesaid if the Council fail to repay to the Church of England Property Trust (Diocese of Sydney) the said sum of not less than One hundred and fifty pounds (£150) in any one year until the repayment of the total amount so appropriated and to be appropriated, the said Corporate Trustees may retain an amount not exceeding One hundred and fifty pounds (£150) a year out of the income of the Endowment Fund in lieu thereof.

21. This Ordinance may be cited as the St. Catherine's Clergy Daughters' School Ordinance 1922.

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FIRST SCHEDULE.

All that piece or parcel of land in our said Colony containing by admeasurement Three acres two roods and three perches situate in the County of Cumberland Parish of Alexandria near Waverley, commencing at the South West corner of J. McLeries' Three acres three roods and twenty-four perches on the South East side of the Frenchman's Road and bounded on the North West by the Frenchman's Road bearing South thirty-one degrees West five chains and forty-five links to its junction with Nelson Road; on the South by Nelson Road bearing East eight chains and ninety-three links to the South West corner of the Church of England Parsonage allotment. On the East by the Western boundary lines of that allotment and of the Church allotment bearing North in all four chains and sixty-eight links; and on the North by part of the Southern boundary line of J. McLeries' Three acres three roods and twenty-four perches aforesaid bearing West six chains and thirteen links to the corner of commencement on the Frenchman's Road aforesaid.

All that parcel of land containing by admeasurement Eleven acres two roods and sixteen perches being allotment Number forty-eight on the Plan of the Village of Northfield situate in the County of Cook at Kurrajong near Tabraja in the said Colony bounded on the West side by allotment Number forty-seven. Commencing at the South East corner of said allotment

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on a reserved road fifty feet wide, the line of division being a North line of ten chains and thence on the North side by an East line of eleven chains sixty links, thence on the East side by a South line of ten chains, and thence on the South side by the aforesaid reserved road being a line West eleven chains sixty links to the point of commencement aforesaid.

SECOND SCHEDULE.

Name of Trust.	Capital Amount.	Nature of Investments.	Names in which investments now stand.	Nature of instruments evidencing investment.	
St. Catherine's Clergy Daughters' School Endowment Fund	£ s. d. 6427 9 7	Loans to School...	£ s. d. 2649 13 6	St. Catherine's Endowment Fund	Certificates from Banks and Certificates from N.S.W. Treasury
		Fixed Deposits ...	677 16 1		
		City of Sydney Debenture Stock }	1000 0 0		
		City of Sydney Debenture Stock }	1000 0 0		
		N. S.W. Funded Stock ... }	1100 0 0		
		£6427 9 7			
			John Charles Wright Albert Edward Talbot survivors in joint account with John Russell French Edward Richard Deas Thomson Wilfrid Law Docker		

And all other property subject to the same trusts as the property above referred to.

I certify this Ordinance to be in accordance with the Ordinance as passed through Committee.

A. J. GOULD,  
*Chairman of Committees.*

We certify that this Ordinance was passed on 12th October, 1922.

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

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

23rd October, 1922.