
St. James' Parsonage Act 1912 Ordinance of 1928.

No. 4. 1928.

AN ORDINANCE to vary determine and appoint the application of the rents and profits of the old Parsonage site of the Church of St. James situate at Sydney in the County of Cumberland as set out in the "Saint James' Parsonage Act 1912" and for other purposes incidental thereto.

WHEREAS by the "Saint James' Parsonage Act, 1912" it was provided that the rents and profits of the old parsonage site after payment thereof of all necessary outgoings in connection therewith should be applied by the trustees thereof as follows:—

- (a) Firstly, in payment of the costs charges and expenses of and incidental to the said Act and any mortgage or mortgages given thereunder.
- (b) Secondly, in payment of all interest payable under and by virtue of such last-mentioned mortgages and a mortgage for four thousand pounds.
- (c) Thirdly, in setting apart in each year two-thirds parts of the balance of such net rents and profits as aforesaid for payment of the principal moneys secured by the said mortgages or any of them and accumulating the same at interest and applying the same in repayment of the principal moneys secured by the said mortgages or any of them and from and after the satisfaction of the said mortgages in assisting towards the repayment of the principal moneys for the time being due in respect of the mortgages authorised by the Saint James' Sydney Parish Hall Ordinances of 1899 and 1902.
- (d) Fourthly, in payment of sums not exceeding one-third part of the said balance of such net rents and profits as aforesaid in each year for the period of fifteen years

in and towards the repair and improvement of Saint James' Church and all necessary repairs to the new parsonage

or in such further or other manner as the Synod of the Diocese of Sydney or if the Synod be not in session as the Standing Committee of such Synod should from time to time with power to vary the same determine and appoint under and in pursuance of the provisions of section eight of the said Act AND WHEREAS by the "Saint James' Church and Parsonage Insurance Ordinance of 1915" it was enacted that in addition to the directions set out in subsection (d) as aforesaid the Trustees were authorised from time to time to maintain and insure the said Church of St. James and also to insure the said Parsonage AND WHEREAS the said mortgages other than those authorised by the "Saint James' Sydney Parish Hall Ordinance of 1899 and 1902" have been repaid AND WHEREAS there is still owing in respect of the mortgage as aforesaid so authorised the sum of two thousand nine hundred and twenty-five pounds AND WHEREAS the said one-third part of the said balance as hereinbefore recited is not sufficient for the repair and improvement of the said Church of Saint James and the necessary repairs to the new Parsonage AND WHEREAS it is expedient for a period of two years to pay the sum of three hundred pounds less than the two-thirds part of the balance of such rents and profits in reduction of the principal moneys secured by the mortgages in order that a more adequate sum shall be available during the said period in and towards the rates and taxes payable in respect of Saint James' Sydney Parish Hall AND WHEREAS the Trustees in good faith used portion of the said rents and profits for the purpose of paying rates and taxes on the new parsonage such sum amounting to one thousand nine hundred and seventy-six pounds eight shillings and five pence but the said payment was unauthorised AND WHEREAS it is now desirable to validate the payment of the said sum of one thousand nine hundred and seventy-six pounds eight shillings and five pence and to indemnify the Trustees in respect thereof Now the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the said Act and by the Church of England Trust Property Act

1917 and the "Land Ordinance Procedure and Delegation of Powers Ordinance 1926" 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 and with the sanction of the Archbishop of Sydney ordains declares determines appoints and rules as follows:—

1. By reason of circumstances subsequent to the passing of the said recited Act it is expedient to vary determine and appoint the provisions of sub-sections "c" and "d" of Section 5 of the said Act in the following particulars:—

- (A) That for a period of two years subsection "c" shall be read as if after the word "year" the words "the sum of three hundred pounds and the costs of and incidental to this Ordinance less than" were inserted therein.
- (B) That for a period of two years subsection (d) shall be read as if after the word "year" "for the period of fifteen years" were omitted therefrom.

And the said sum of three hundred pounds shall be applied in each of the said years in and towards the payment of the rates and taxes payable in respect of the Saint James' Sydney Parish Hall and the amount of the said costs shall be paid.

2. The payment of the sum of one thousand nine hundred and seventy-six pounds eight shillings and five pence paid in respect of the rates on the parsonage as aforesaid be and the same is hereby validated and the Trustees be and they are hereby indemnified accordingly.

3. This Ordinance shall not prejudice affect or invalidate any matter or thing lawfully done or contracted to* be done under the said Act before the passing of this Ordinance.

4. This Ordinance shall be read as supplementary to the "St. James' Church and Parsonage Insurance Ordinance of 1915."

4 *St. James' Parsonage Act 1912 Ordinance of 1928.*

5. This Ordinance shall be styled and cited as "The Saint James' Parsonage Act 1912 Ordinance 1928."

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

A. J. GOULD,
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 February 1928.

C. R. WALSH,
Secretary.

I assent to this Ordinance

JOHN CHARLES SYDNEY,
Archbishop of Sydney.

March 5, 1928.