
"St. Matthew's Manly (Amending) Ordinance 1934."

No. 1, 1934.

AN ORDINANCE to amend St. Matthew's Manly Mortgaging Ordinance 1927 and St. Matthew's Manly Mortgage Ordinance 1930 and for other purposes.

WHEREAS by reason of circumstances subsequent to the creation of the trusts referred to in and created by St. Matthew's Manly Mortgaging Ordinance 1927 and St. Matthew's Manly Mortgage Ordinance 1930, it has become inexpedient to carry out and observe such trusts in so far as the same are hereby varied, and it is expedient to vary such trusts in manner hereinafter mentioned, and to make the further provisions hereinafter contained.

NOW therefore 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 Land Ordinance Procedure and Delegation of Powers Ordinance 1926, and all other powers it enabling in the name and in the place of the said Synod, declares directs and rules as follows:—

1. By reason of circumstances subsequent to the creation of the said trusts it has become inexpedient to carry out and observe the same in so far as such trusts are hereby varied.

2. Clause 4 of St. Matthew's Manly Mortgage Ordinance 1930 is hereby repealed.

3. St. Matthew's Manly Mortgaging Ordinance 1927 is amended as follows:—

- (A) By omitting sub-clauses (c) (d) (e) and (f) of Clause 8 and inserting in lieu thereof the following sub-clauses:—
- (c) In payment of Two hundred and fifty pounds a year to the Treasurer for the time being of the Home Mission Society Diocese of Sydney for the purposes of the said Society.
- (d) In payment of Two hundred and fifty pounds a year to the Churchwardens for the time being of St. Matthew's Church aforesaid for general church purposes in connection with such church. Provided, however, that

"St. Matthew's Manly (Amending) Ordinance 1934."

in each year in which the principal sum borrowed hereunder and still owing exceeds twenty thousand pounds the amount payable under this sub-clause shall be reduced by an amount equal to the interest payable in respect of such excess for that year.

- (e) In payment of Two hundred and fifty pounds a year to the Churchwardens for the time being of the Provisional District of West Manly for general church purposes in connection with such Provisional District.
- (ee) In payment of Two hundred and fifty pounds a year to the Churchwardens for the time being of St. Matthew's Church aforesaid to be applied for general church purposes in connection with that part of the Parish of Manly known as North Manly.
- (f) In payment of fifty pounds a year to the Churchwardens for the time being of the Parish of Narrabeen for general church purposes in such Parish.

(B) By inserting at the end of clause 8 the following:—
PROVIDED HOWEVER as follows:—

- (i) That if the said nett income is insufficient to pay the five annual amounts payable under sub-clauses (c) (d) (e) (ee) and (f) they shall abate proportionately saving that if the amount then available for payment in any year to the Churchwardens of West Manly should be less than Two hundred pounds then the amount so payable to such Churchwardens shall be increased to the sum of Two hundred pounds out of the annual amount payable under sub-clause (c) so far as the same will permit.
- (ii) That in the event of the principal sum borrowed hereunder being reduced to or below the sum of Twenty thousand pounds and thereafter being further reduced out of moneys raised by the parishioners of St. Matthew's Church aforesaid for and applied for that purpose then subject to the payments directed to be made by sub-clauses (a) and (b) of this clause there shall be paid to the Churchwardens for the time being of the said St. Matthew's Church out of the said nett income interest on the moneys so raised and applied as aforesaid and such interest shall be paid quarterly at the rate for the time being payable in respect of the said

"St. Matthew's Manly (Amending) Ordinance 1934."

principal sum or if such sum shall have been wholly repaid then at such rate as the Corporate Trust shall deem fair and proper.

4. The costs charges and expenses of and incidental to this Ordinance shall be payable out of the nett income referred to in St. Matthew's Manly Mortgaging Ordinance 1927 subject to the payments provided for in sub-clauses (a) and (b) of clause 8 of such Ordinance.

5. This Ordinance may be cited as "St. Matthew's Manly Mortgage (Amending) Ordinance 1934."

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

HENRY W. F. ROGERS,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this fifth day of February, 1934.

C. R. WALSH,
Secretary.

I assent to this Ordinance.

S. J. KIRKBY,
Bishop, Administrator of the Diocese of Sydney.

21st February, 1934.