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*The St. Paul's Canterbury Mortgage Ordinance 1933.*

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No. 4—1933.

AN ORDINANCE to authorise the mortgaging of certain land in the Parish of St. Paul Canterbury and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS the land comprised and described in the Certificate of Title Registered Volume 801 Folio 247 is held by the Most Reverend the Lord Archbishop of Sydney Upon Trust to permit the same to be used as a site for the dwelling house for the Minister duly licensed by the said Archbishop to officiate in the Church of St. Paul in the Parish of Canterbury.

AND WHEREAS for many years a house stood on the said land which was used as a Minister's dwelling but some time ago such house was demolished whereupon the said land became rateable and other accommodation had to be provided for the Rector of the said Church.

AND WHEREAS certain debts are owing by the said Parish namely a sum of twenty-five pounds three shillings advanced by the Home Mission Society of the Diocese of Sydney for payment of certain Municipal charges seventy-five pounds borrowed from the Church Buildings Loan Fund the sum of approximately One hundred and eighty pounds borrowed for payment of Municipal Rates and further Municipal charges and the sum of approximately forty pounds for fencing.

AND WHEREAS it is expedient to build a Rectory on the said land and to raise money by way of Mortgage on the said land for that purpose and for the purpose of paying the said debts.

AND WHEREAS the said parish by its rector and churchwardens has undertaken that it will raise a sum of not less than seventy-five pounds each year towards paying off the moneys borrowed under the authority of this ordinance.

AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid Trust it is expedient to vary the same in manner hereinafter appearing.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Ordains and Declares as follows:—

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1. The Standing Committee hereby consents to the said land comprised and described in Certificate of Title Registered Volume 801 Folio 247 being vested and the same is vested accordingly in the Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustees").

2. By reason of circumstances subsequent to the creation of the said Trust to which the said land is subject it has become inexpedient to carry out and observe such trust in so far as such trust is hereby varied.

3. (1) The Trustees are hereby empowered to mortgage from time to time the whole or any part of the said land for the purpose of borrowing the sums following:—

(a) When the power is first exercised a sum not exceeding one thousand seven hundred pounds.

(b) When the power is subsequently exercised such sum not exceeding one thousand six hundred pounds as the Standing Committee shall by resolution determine.

(2) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.

(3) A document purporting to be certified by the Archbishop or Registrar of the said Diocese as a copy of any such resolution shall in favour of a mortgagee or any person or corporation claiming under the mortgagee be conclusive evidence that such resolution was duly passed.

4. The proceeds of any Mortgage hereby authorised shall stand charged with the payment of the costs charges and expenses of and incidental to this Ordinance and such Mortgage and subject thereto such proceeds shall be applied firstly in payment of the said debts, secondly in and towards the erection of a Rectory on the said land, and thirdly in satisfaction of any prior Mortgage on the said land Provided always and the Corporate Trustees are hereby authorised to pay any part of the proceeds of the said Mortgage to the Rector and Churchwardens for the time being of the said Parish whose receipt shall be a sufficient discharge therefor and who shall apply such part in or towards the erection of the said Rectory.

5. This Ordinance may be cited as the "St. Paul's Canterbury Mortgage Ordinance 1933."

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

W. J. G. MANN,

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this twenty-fifth day of September, 1933.

C. R. WALSH,

Secretary.

I assent to this Ordinance.

S. J. KIRKBY,

Bishop, Administrator.

28th September, 1933.