

*St. Paul's Burwood Sale Ordinance 1937 Amending
Ordinance 1939 and the St. Paul's Burwood Sale
Ordinance of 1938 Amending Ordinance 1939.*

No. 21, 1939.

AN ORDINANCE to amend the St. Paul's Burwood Sale Ordinance of 1937 and to amend the St. Paul's Burwood Sale Ordinance of 1938.

WHEREAS by the "St. Paul's Burwood Sale Ordinance of 1937" authority was given to sell the land therein described.

AND WHEREAS the said land was sold and the land transferred to the purchaser and the Trustees therein mentioned stand possessed of the net proceeds of such sale upon the trusts therein recited and pending the application of the moneys in the purchase of real estate within the Parish of St. Paul's Burwood have invested the same in the manner therein authorised.

AND WHEREAS by the St. Paul's Burwood Sale Ordinance of 1938 authority was given to sell certain lands therein firstly described and to apply the net proceeds in and towards the rebuilding of the Parish Hall of St. Paul's Burwood on land therein secondly described which by the said lastmentioned Ordinance was vested in the Church of England Property Trust Diocese of Sydney.

AND WHEREAS it is expedient to amend the St. Paul's Burwood Sale Ordinance of 1937 by varying the trusts of the proceeds of the said sale.

AND WHEREAS it is expedient to amend the St. Paul's Burwood Sale Ordinance of 1938 in the manner hereinafter appearing Now the Standing Committee of the Synod of the Diocese of Sydney in the name and in the place of the said Synod ordains and declares as follows:—

1. That by reason of circumstances subsequent to the variation of the trusts referred to in the said St. Paul's Burwood Sale Ordinance of 1937, it is expedient to vary the same.

2. The said Ordinance is hereby amended by deleting from Clause 3 thereof after the words "Upon Trust" the following words "to purchase real Estate within the Parish of St. Paul's Burwood to be held by the said Trustees upon the same trusts as those upon which the same land is now held" and inserting in

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lieu thereof the following words "to apply the same after payment thereof of the costs and expenses of and incidental to this Ordinance in and towards the rebuilding of the Parish Hall of St. Paul's Burwood."

3. That by reason of circumstances subsequent to the creation of the trusts of the lands comprised in the Second Schedule to the St. Paul's Burwood Sale Ordinance of 1938 it is expedient to borrow from time to time a sum or sums of money not exceeding in all £3000 which said sum the said Trust is hereby authorised to borrow upon the security of a mortgage or mortgages of the whole or any part of the land described in the Second Schedule thereto.

4. The St. Paul's Burwood Sale Ordinance of 1938 is hereby amended by inserting after the figure 4 the letter (a) and by adding the following new sub-clauses immediately after Clause 4 of the said Ordinance:—

- (b) The land described in the Second Schedule hereto or any part or parts thereof may be mortgaged from time to time for the purpose of borrowing the sums of money following:—
 - (i) When the power is first exercised a sum not exceeding £3000.
 - (ii) When the power is subsequently exercised such sum as the Standing Committee shall by resolution determine but pending such resolution such debt shall be reduced at the rate of not less than £50 per annum as from the date of the said Mortgage.
- (c) Any renewal of a mortgage shall be deemed to be a subsequent exercise of the said power.
- (d) A document purporting to be certified by the Archbishop or Diocesan Secretary 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.
- (e) The proceeds of any mortgage hereby authorised shall be applied by the said Trust in accordance with the provisions of Clause 4 hereof.

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- (f) The Rector and Churchwardens for the time being of St. Paul's Burwood shall within seven days of the date of holding the annual Vestry Meeting during such time as any money is owing to any Mortgagee pursuant to this Ordinance cause an account to be forwarded to the Diocesan Secretary giving details of the original amount borrowed amounts paid off and the balance owing.

5. This Ordinance may be cited as "St. Paul's Burwood Sale Ordinance 1937 Amending Ordinance 1939 and the St. Paul's Burwood Sale Ordinance of 1938 Amending Ordinance 1939."

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

R. C. ATKINSON,

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 November, 1939.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY.

November 30, 1939.