
Moore Bank Estate Compensation.

3/19/17

AN ORDINANCE to direct the Application and to Provide for the Administration of portion of the income and interest derivable from certain compensation moneys paid or to be paid to the Church of England Property Trust Diocese of Sydney in respect of the resumption of certain lands forming portion of the Moore Bank Estate.

WHEREAS by an Indenture of Release dated the Second Day of January one thousand eight hundred and thirty-nine made between Thomas Moore of the one part and the Right Reverend William Grant Broughton Lord Bishop of Australia of the other part certain lands situated near Liverpool in the State (then Colony) of New South Wales known as Moore Bank containing altogether about 6395 acres were granted and released to the said William Grant Broughton Lord Bishop of Australia and to his successor and successors such Bishop as aforesaid to hold as to a portion thereof containing 4315 acres more or less upon the special trust that the said William Grant Broughton Lord Bishop of Australia and his successor and successors such Bishops of Australia as aforesaid should from time to time and at all times thereafter yearly and every year expend apply and dispose of the rents issues and profits of the said lands hereditaments and premises towards the increasing of the salaries or allowances to such Clergymen of the United Church of England and Ireland as by law established as should be from time to time duly licensed by the said William Grant Broughton Lord Bishop of Australia and his successor and successors such Bishops of Australia as aforesaid to discharge the parochial duties of clergymen as aforesaid in the different parishes and places appointed for the celebration of religious worship within the said State (then Colony) of New South Wales in such proportion and proportions as the said William Grant Broughton Lord Bishop of Australia and his successor and successors such Bishops of Australia as aforesaid may deem fit and necessary provided that no more than the sum of £50 yearly should be so applied to the augmentation of the salary of any one such clergyman and so that no salary of any one such

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clergyman should be augmented beyond the sum of £400 yearly so long as there should be any such clergyman enjoying a less yearly salary than £400 AND WHEREAS by a Decree of the Supreme Court of New South Wales in its Equitable Jurisdiction dated the Twentieth day of March One thousand eight hundred and ninety-six and made in a suit instituted on an Information by the Attorney General at the relation of the Very Reverend Dean Selwyn it was (*inter alia*) declared that the rents and profits of the said 4315 acres of land or the income and interest of the proceeds of sale of the said lands or the investments representing the same ought to be applied towards increasing the salaries or allowances of such clergymen as should from time to time be duly licensed by the Bishop of Sydney for the time being to discharge the parochial duties of clergymen as in the said hereinbefore in part recited Deed is mentioned within the State (then Colony) of New South Wales in such proportion and proportions as the Bishop of Sydney for the time being should deem fit and necessary but subject to the proviso in the said Deed contained AND WHEREAS the said 4315 acres of land became duly vested in the Church of England Property Trust Diocese of Sydney AND WHEREAS the said 4315 acres of land or portion thereof were on the Fifth day of March One thousand nine hundred and thirteen resumed by the Commonwealth of Australia under the Lands Acquisition Act 1906 AND WHEREAS the compensation moneys payable in respect of the said resumption or a portion thereof have been paid to the said Property Trust AND WHEREAS the "Moore Bank Estate Compensation Moneys Partial Application Ordinance 1916" directs the application of certain interest theretofore accrued in respect of the said compensation moneys or portion thereof AND WHEREAS by reason of circumstances which have occurred since the creation of the trusts hereinbefore referred to it has become inexpedient except as to £500 per annum of the interest or other income hereinafter mentioned to carry out or observe so much of the said trusts as requires that the interest or other income which in respect of the said compensation moneys shall accrue after the date hereinafter mentioned should be applied as aforesaid in such proportion and proportions as the Bishop of Sydney for the time being shall deem fit and necessary and it is expedient that the same should be applied as aforesaid in such proportion and

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proportions as "The Home Mission Society" (otherwise known as the "Church Society of the Diocese of Sydney") carrying on its work under the provisions of "The Home Mission Society Ordinance of 1911" or any Ordinance amending or taking the place of the same shall deem fit and necessary subject however to the approval from time to time of the Archbishop of Sydney and his successors Bishops of Sydney AND WHEREAS the Archbishop of Sydney has given his consent in writing to this Ordinance NOW 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 the "Church of England Trust Property Incorporation Act 1881" the "Church of England Property Act of 1889" and of all other powers thereunto enabling it ordains declares directs and rules as follows:—

1. By reason of circumstances which have occurred since the creation of the trusts hereinbefore referred to it has become inexpedient except as to £500 per annum of the interest or other income hereinafter mentioned to carry out or observe so much of the said trusts as requires that the interest or other income which in respect of the said compensation moneys hereinbefore mentioned shall accrue after the 31st day of March 1918 should be applied as hereinbefore mentioned in such proportion and proportions as the Bishop of Sydney for the time being shall deem fit and necessary.

2. Except as to £500 per annum thereof (which is to remain unaffected by this Ordinance) the interest or other income which in respect of the said compensation moneys shall accrue after the 31st day of March 1918 shall after payment thereof of the costs and expenses of and incidental to this Ordinance and accounts hereinafter mentioned be applied held managed and dealt with by "The Home Mission Society" (otherwise known as the "Church Society of the Diocese of Sydney") carrying on its work under the provisions of "The Home Mission Society Ordinance of 1911" or any Ordinance amending or taking the place of the same but in all respects except as hereinafter provided in pursuance of and subject to and in conformity with the trusts and subject to the proviso in the preamble to this

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Ordinance referred to provided however that the same shall be applied and dealt with towards increasing the salaries or allowances of such clergymen as therein mentioned in such proportion and proportions as the said Society so carrying on its work as aforesaid shall deem fit and necessary subject to the approval from time to time of the Archbishop of Sydney and his successors Bishops of Sydney.

3. The said Home Mission Society so carrying on its business as aforesaid shall annually prepare and make up accounts showing the respective amounts received and disbursed by it under or in pursuance of this Ordinance for the periods ending with the 31st day of March in each and every year and shall within one month thereafter forward a copy of each such account certified by the Treasurer of the said Society to the Standing Committee of the Synod for the purpose of being laid upon the table of the Synod and printed in its Annual Report.

4. Any interest or other income which is subject to the provisions of this Ordinance and is not immediately required for the purposes aforesaid may be invested in the same manner as moneys belonging to the said Society may for the time being be invested and the income to arise therefrom shall be applied and dealt with for the same purposes as the said interest or other income so invested as aforesaid may be applied and dealt with.

5. The 2nd 3rd and 4th Sections of this Ordinance may with out prejudice to the past operation thereof be amended from time to time by Ordinance or rule of the Synod of the said Diocese.

6. This Ordinance may be cited as the "Moore Bank Estate Compensation Moneys Further Application Ordinance 1917."

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

E. W. MOLESWORTH,

Chairman of Committees.

We certify that this Ordinance was passed on 26th September, 1917.

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

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

4th October, 1917.