

AN ORDINANCE to authorise the sale of a certain portion of the lands situated in the Town of Liverpool or at Minto or in the District of Liverpool in the State of New South Wales devised by the late Thomas Moore upon trust for and for the maintenance and support of a College or Establishment to be called Moore's College to provide for the receipt and application of the purchase money or compensation payable or paid in respect thereof and to vary the trusts of the said portion and of the other portions of the said lands and for other purposes.

WHEREAS the late Thomas Moore of the Town of Liverpool in the State of New South Wales by his last Will and Testament devised to the Right Reverend William Grant Broughton Lord Bishop of Australia Alexander McLean and Robert Campbell the dwelling house in which the said Testator then resided and the lands hereditaments and premises thereto adjoining and occupied therewith and all the said Testator's other lands hereditaments and premises in the said town of Liverpool and the lands hereditaments and premises known severally as Cribb's Farm situate at Minto in the State (then Colony) aforesaid Barden's Dwyer's Knight's and Shaw's Farms situate near to the said Town and Moore's Farm in the District of Liverpool upon certain trusts therein set out for and for the maintenance and support of a College or establishment to be called Moore's College for the education of boys or youths of the Protestant persuasion in the principles of Christian knowledge and such other branches of useful and general information as his Trustees should from time to time direct and appoint and as should be consistent with and in furtherance of his intention and desire therein expressed that the encouragement and maintenance of piety and virtue and religious instruction according to the principles of the Church of England therein called the United Protestant Church of England and Ireland should be the principal object of his Trustees in regulating the said College or Establishment AND WHEREAS the said dwelling house and the said lands hereditaments and premises occupied therewith became unsuitable for the purposes

---

*Moore College Land Sale and Variation of Trusts.*

---

of the said trusts AND WHEREAS by the "St. James's School Compensation Trust Act (1886)" it was provided that it should be lawful for the Trustees for the time being of the Will of the said Thomas Moore to convey certain land therein mentioned in consideration of the sum of Ten thousand pounds and that the said Trustees should stand possessed of the said sum of Ten thousand pounds upon trust to apply the same or any part thereof in or towards the establishment in Sydney of a College for the education and training of Candidates for Holy Orders in connection with the Church of England and that the said Trustees should have the power of interim investment therein contained AND WHEREAS the Trustees for the time being of the said Will in pursuance of the said Act established at Newtown in Sydney a College for the purposes aforesaid and the site of the said College is now vested in the Trustees of the said Will and the said College is called and known as "Moore College" AND WHEREAS three several portions of the said lands hereditaments and premises so devised as aforesaid were resumed and the purchase money or compensation payable in respect thereof amounting to the sums of Fifty-two pounds Twenty-five pounds and Seventy-five pounds respectively were paid to the Trustees of the said Will AND WHEREAS by divers mesne assurances and ultimately by an Indenture (Registered No. 911 Book 1097) dated the eighth day of December One thousand nine hundred and sixteen the Reverend John Vaughan the Most Reverend John Charles Wright Archbishop of Sydney and Metropolitan and James Montague Sandy became the Trustees of the said Will AND WHEREAS the said John Vaughan died on the fourteenth day of December One thousand nine hundred and eighteen AND WHEREAS by notification of Resumption dated the eighth day of August One thousand nine hundred and seventeen the land described in the Schedule hereto being a further portion of the said lands hereditaments and premises so devised as aforesaid was appropriated and resumed under the "Public Works Act 1912" for the purposes of the extension of the Liverpool State Hospital and Asylum and under the provisions of the said Act the amount of purchase money and compensation to be paid to the Trustees of the said Will for and in respect of the said last mentioned resumed land was by award determined at the sum of One thousand six hundred and fifty pounds.

---

*Moore College Land Sale and Variation of Trusts.*

---

and the said sum together with One hundred and thirty-six pounds fourteen shillings for interest thereon amounting together to the sum of one thousand seven hundred and eighty six pounds fourteen shillings was paid into the hands of the Master in Equity of the Supreme Court of New South Wales and has been deposited by the said Master to an account intituled "Ex parte the Constructing Authority in the matter of the Claim of the Most Reverend J. C. Wright and J. M. Sandy Trustees of the Will and Codicil of Thomas Moore deceased. And in the matter of the Public Works Act 1912." AND WHEREAS by an Indenture (Registered No. 251 Book 1199) dated the first day of April One thousand nine hundred and nineteen the Venerable Francis Bertie Boyce was appointed a Trustee of the said Will in the place of the said John Vaughan deceased AND WHEREAS the said James Montagu Sandy died on the seventeenth day of July One thousand nine hundred and twenty-one and no new Trustee has been appointed in the place of the said James Montague Sandy deceased AND WHEREAS by reason of circumstances subsequent to the creation of the said Trusts of the said Will it is expedient to authorise the Most Reverend John Charles Wright and the Venerable Francis Bertie Boyce or other the Trustee or Trustees for the time being of the said Will to sell the land described in the Schedule hereto and any other lands in the purchase of which the said purchase money or compensation may be applied under the provisions of the said Act to the intent that the said purchase money or compensation with all interest accrued and to accrue thereon may be paid out of Court to the said John Charles Wright and Francis Bertie Boyce or other the Trustee or Trustees for the time being of the said will AND WHEREAS the income of the said lands hereditaments and premises and of the purchase moneys or compensation so received by the said Trustees as aforesaid in respect of the said three several portions of resumed land have been applied from time to time for many years past in the maintenance and support of the said "Moore College" so established at Newtown as aforesaid AND WHEREAS by reason of circumstances subsequent to the creation of the said trusts of the said Will it has become inexpedient to carry out or observe the same 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

---

*Moore College Land Sale and Variation of Trusts.*

---

good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the "Church of England Trust Property Act 1917" or otherwise ordains declares and directs as follows:—

1. By reason of circumstances subsequent to the creation of the said trusts in the hereinbefore recited Will contained it has become inexpedient to carry out or observe the trusts of the Church Trust property described in the First Second and Third Schedules hereto.

2. The land described in the First Schedule hereto and all other lands which may be purchased with the purchase money or compensation payable or paid into Court in respect of the said land may be sold by the Most Reverend John Charles Wright Archbishop of Sydney and Metropolitan and the Venerable Francis Bertie Boyce or other the Trustee or Trustees for the time being of the Will of the said Thomas Moore deceased and the said John Charles Wright and the said Francis Bertie Boyce or other the Trustee or Trustees for the time being of the said Will may receive the proceeds of sale or the purchase money or compensation payable in respect of any such land aforesaid and in particular the purchase money and compensation so paid into the hands of the Master in Equity as hereinbefore recited AND IT IS HEREBY DIRECTED that the said John Charles Wright and Francis Bertie Boyce or other the Trustee or Trustees for the time being of the said Will shall execute the deed or deeds or other instrument or instruments and do all acts measures and things necessary for carrying into effect any such sale as aforesaid.

3. The Church Trust Property described in the Second and Third Schedules hereto shall be held upon trust and the income thereof be applied for the maintenance and support of the said College established at Newtown and known as "Moore College" and any money held upon such trust may be invested in any one or more of the investments following that is to say:—

- (a) The purchase of real estate
- (b) Any public funds or Government stock or Government securities bonds debentures inscribed stock or treasury

---

*Moore College Land Sale and Variation of Trusts.*

---

- bills of or guaranteed by the Federal Government or the Government of any State in the Commonwealth of Australia
- (c) First mortgage on real property situated within the said Commonwealth
  - (d) Stocks funds or securities in or upon which by any general order cash under the control of any Court of Equity within the said Commonwealth may from time to time be invested
  - (e) Debentures of any Harbour Trust or Board of Works within the Commonwealth
  - (f) Municipal debentures of any State Capital
  - (g) Mortgage bonds under any of the Savings Banks Acts of the Federal Government or any State within the Commonwealth.
  - (h) Deposits in any Government Savings Bank within the Commonwealth

and may from time to time vary or realise or raise money on the security of such investments.

4. The past application of the income of the Church Trust Property described in the Second and Third Schedules hereto for the maintenance and support of the said College so established as aforesaid at Newtown and known as "Moore College" is hereby declared to have been expedient by reason of circumstances subsequent to the creation of the trusts of the said Will and the said past application of the said income is hereby confirmed.

5. This Ordinance shall be styled and cited as "Moore's College Lands Sale and Variation of Trusts Ordinance 1921."

THE FIRST SCHEDULE.

All that piece or parcel of land situate in the Parish of Saint Luke County of Cumberland and State of New South Wales being portion two hundred and fifty-four part of portion two hundred and sixty-one and a reserved road one chain wide within the last portion: Commencing on the left bank of Georges River at the south-eastern corner of three acres one rood six

---

*Moore College Land Sale and Variation of Trusts.*

---

perches resumed by Gazette of fourteenth November One thousand nine hundred and two from the said portion two hundred and sixty-one and bounded thence on the west by the eastern boundary of that resumption bearing three hundred and fifty-nine degrees thirty-two minutes seven chains seventy-eight links thence on the south by the northern boundary of the said resumption and the northern boundary of three roods thirty-eight perches resumed by Gazette of seventh November One thousand nine hundred and two being in all a line bearing two hundred and sixty-nine degrees thirty-two minutes eight chains ninety-four point nine links thence again on the west by part of the eastern boundary of portion two hundred and sixty bearing three hundred and fifty-nine degrees eighteen minutes twenty-two chains ninety-five point nine links to the southern side of Priddle Street in the Town of Liverpool thence on the north by part of that side of that street bearing eighty-nine degrees eighteen minutes eleven chains forty-four links to the western boundary of the said portion two hundred and fifty-four thence again on the west by the eastern side of Shore Street bearing three hundred and fifty-nine degrees eighteen minutes fifteen chains thirty-two and a half links to the southern side of a road one chain wide thence again on the north by part of that side of that road bearing eighty-nine degrees twenty-one minutes twenty-six chains thence on the east by a western boundary of portion two hundred and fifty-five bearing one hundred and seventy-nine degrees forty-five minutes thirty-six chains to the left bank of Georges River aforesaid and thence on the south-east by that river upwards to the point of commencement be the said several dimensions all a little more or less having an area of one hundred and thirty-seven acres four perches or thereabouts exclusive of the said reserved road.

THE SECOND SCHEDULE.

£ s. d.

Commonwealth Treasury Bonds ... .. 152 0 0  
(Repayable 15th December, 1925.)

Moneys in Court to the credit of an account intituled

“Ex parte the Constructing Authority in the matter of the claim of the Most Reverend John Charles Wright and J. M. Sandy Trustees of the Will and Codicil of Thomas Moore deceased.

And in the matter of the Public Works Act 1912” 1650 0 0

---

*Moore College Land Sale and Variation of Trusts.*

---

THE THIRD SCHEDULE.

The lands described in the Will of the said Thomas Moore in the words following namely "The Dwelling House in the Town of Liverpool in the Colony aforesaid wherein I now reside and the lands hereditaments and premises thereunto adjoining and occupied therewith and all my other lands hereditaments and premises in the said Town of Liverpool and the lands hereditaments and premises known severally as Cribb's Farm situate at Minto in the Colony aforesaid Barden's Dwyer's Knight's and Shaw's Farms situate near the said Town of Liverpool and Moore's Farm situate in the district of Liverpool containing in the whole seven hundred and thirty acres be the same more or less" excluding therefrom the said farms called Knight's Farm and Shaw's Farm which were wholly resumed by three of the said resumptions and excluding that portion of the farm known as Dwyer's Farm which was resumed by the other of the said resumptions.

---

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

E. W. MOLESWORTH,  
*Chairman.*

We certify that this Ordinance was passed this twenty-fourth day of November, 1921.

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

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

12th December, 1921.