

*Moore's College Land Sale 1923.*

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AN ORDINANCE to authorise the sale by Public Auction of certain land situated at Liverpool in the State of New South Wales devised under the Will of the late Thomas Moore and known as Dwyer's Farm and to provide for the application of the proceeds thereof and for other purposes.

WHEREAS Thomas Moore late of Liverpool in the State of New South Wales now deceased was at the respective dates of his Will and Death hereinafter mentioned seised and possessed or otherwise well entitled to the land described in the first Schedule hereto AND WHEREAS the said Thomas Moore duly made his Will dated the 6th day of February 1839 whereby he devised unto the Right Reverend William Grant Broughton Lord Bishop of Australia Alexander McLeay and Robert Campbell all his lands in the State (then Colony) of New South Wales UPON TRUST as to his lands at Liverpool aforesaid for 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 as to (inter alia) his lands known as Dwyer's Farm described in the first Schedule hereto upon trust that the rents issues and profits thereof should be paid and applied towards the maintenance and support of such college or establishment AND WHEREAS the said Thomas Moore died on or about the twenty-fourth day of December 1840 without having revoked or altered his said Will except by a Codicil not material hereto and Probate of the said Will and Codicil was on the 2nd February 1841 duly granted by the Supreme Court of New South Wales in its Ecclesiastical Jurisdiction to the Right Rev. William Grant Broughton, Alexander McLeay and Robert Campbell the Executors therein named AND WHEREAS the present trustees under the said trusts of the Will of the said Thomas Moore are the Most Reverend John Charles Wright of the City of Sydney in the State of New South Wales Doctor of Divinity Archbishop of Sydney and Metropolitan the Venerable Francis Bertie Boyce of Sydney aforesaid Archdeacon of West Sydney and the Reverend George Alexander Chambers of Sydney aforesaid Clerk in Holy Orders (hereinafter referred to as "the said Trustees") AND

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WHEREAS the property (hereinafter referred to as "Dwyer's Farm") consists of certain lands which by grant bearing date the first day of January 1810 under the hand and seal of his Excellency Lachlan Macquarie Esquire then Chaplain General and Governor in Chief of the Territory of New South Wales were granted to one Michael Dwyer his heirs and assigns for ever and a description whereof as appears in the said grant is set forth in the first Schedule hereto AND WHEREAS portions of the land comprised in the said Crown Grant were resumed for public purposes and the residue held by the Trustees in virtue of the said Crown Grant consists of the land comprised in the description (which is according to a recent survey) more particularly set out in the second Schedule hereto AND WHEREAS by reason of circumstances subsequent to the creation of the aforesaid trust it is expedient to sell the land so described in the second Schedule hereto and which is hereinafter referred to as the said land. Now 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 Ordinances of the Synod passed in the years 1918 and 1921 appointing the Standing Committee for the purposes of exercising during the recess of the Synod the powers and functions in the said Ordinances referred to and in pursuance of the powers vested in the said Synod by the Constitutions for the management and good government of the Church of England within the State of New South Wales or otherwise 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 hereinbefore mentioned trust it is expedient to sell the said land.

2. The said land may be sold by public auction either in one lot or in several lots at such time or times at such price or prices and upon such terms and conditions as the Trustees may deem expedient free from such trust as aforesaid.

3. The proceeds arising from the said sale or sales shall after payment thereof of all rates taxes and other outgoings properly chargeable against the said land and all costs charges and expenses of and incidental to this Ordinance and the said

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sale or sales and the conveyance of the said land in pursuance thereof shall be held upon the same trusts as the said land is now held.

4. The said moneys held upon the said trusts 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 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 Harbor 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 the Trustees may from time to time vary or release or raise money on the security of such investments.

5. For the purposes of this Ordinance the expression "the said Trustees" shall where the context permits mean and include the Trustees or Trustee for the time being of the Will of the said Thomas Moore deceased.

6. This Ordinance may be styled and cited as "Moore's College Land Sale Ordinance 1923."

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### THE FIRST SCHEDULE HEREINBEFORE REFERRED TO.

One hundred acres of land lying and situate in the District of Cabramatta bounded on the East side by Strouds Warwick Park Farm bearing South fifteen degrees East thirty-seven chains and terminating ten chains from Strouds South-west corner on the South by a line West thirteen degrees South twenty-three chains on the West by a line North fifteen degrees West forty-six chains to Cabramatta Creek and on the North by the said Creek reserving the present Road through or on the East side of one chain wide as may be necessary for Public use to be known by the name of Mount James.

### THE SECOND SCHEDULE HEREINBEFORE REFERRED TO.

ALL THAT piece or parcel of land situate and lying in the Municipality of Liverpool Parish of St. Luke County of Cumberland in the State of New South Wales being the one hundred acres granted to Michael Dwyer on 1st January 1810 and known as Portion 252 of the Parish aforesaid and containing by admeasurement one hundred and four acres three roods or thereabouts exclusive of roads and railways. COMMENCING at a point on Cabramatta Creek being the north-western corner of P.P. Application 5040 and bounded on the north-east by part of the South-western boundary of R.P. Application 5040 aforesaid, the south-western boundary of R.P. Application 4946 and again part of the south-western boundary of R.P. Application 5040 in all bearing south-easterly three thousand eight hundred and twenty-eight links to the intersection of the north-western alignment of Church Street with the north-eastern alignment of Shore Street on the south-east by the north-western alignment of Church Street aforesaid bearing south-westerly two thousand two hundred and sixty-three links to the intersection of that alignment with the south-western alignment of Manning Street on the south-west by a partly fenced line bearing north-westerly four thousand six hundred and thirty-two links to Cabramatta Creek and generally on the north by Cabramatta Creek aforesaid generally easterly to the point of commencement. Be the said several dimensions all a little more or less.

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Saving and excepting thereout those parts of the Great Southern Railway and the fifty links wide road adjoining the said railway on the west included in the above description also that part of the road one hundred links wide from Liverpool to Sydney included in the above description also part of the Warwick Farm Railway partly being the land in R.P. Application 17719.

Ordinance considered in Committee and passed without amendment.

A. J. GOULD,  
*Chairman of Committee.*

30th July, 1923.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this thirtieth day of July, 1923.

C. R. WALSH,  
*Secretary.*

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

7th August, 1923.