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*St. James' Carlton Mortgaging and Sale (Amendment)  
Ordinance 1954.*

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No. 23, 1954.

WHEREAS the St. James' Carlton Mortgaging and Sale Ordinance 1952 is hereinafter called "the Principal Ordinance" AND WHEREAS the erection on the land described in the first schedule to the Principal Ordinance of the new brick Church building for the Parish of St. James' Carlton referred to in the Principal Ordinance has been completed AND WHEREAS pursuant to the powers conferred on the Corporate Trustees by Clause 3 of the Principal Ordinance the Corporate Trustees borrowed from The Mutual Life & Citizens' Assurance Company Limited the sum of Eight thousand seven hundred pounds (£8,700) on first mortgage of the lands described in the first second and third schedules to the Principal Ordinance and the said sum of Eight thousand seven hundred pounds (£8,700) was applied in the manner and for the purposes mentioned and set out in Clause 4 of the Principal Ordinance AND WHEREAS pursuant to the powers conferred on the Corporate Trustees by Clause 5 of the Principal Ordinance the land described in the second schedule to the Principal Ordinance has been sold and out of the proceeds of the sale thereof the sum of Nine hundred pounds (£900) was paid to The Mutual Life and Citizens' Assurance Company Limited to release such land from the mortgage to the Company and in reduction of the principal moneys owing under such mortgage to the sum of Seven thousand eight hundred pounds (£7,800) AND WHEREAS the moneys arising from the sale of the land described in the second schedule to the Principal Ordinance have been applied so far as necessary in the manner and for the purposes set out in paragraphs (a) (b) and (c) of Clause 6 of the Principal Ordinance (the said sum of Nine hundred pounds (£900) paid to The Mutual Life & Citizens' Assurance Company Limited as aforesaid having been paid pursuant to the provisions of Paragraph (c) of such clause) and there is now available the sum of approximately Two thousand and thirty pounds (£2,030) as the balance of such moneys AND WHEREAS it is estimated that the cost of carrying out at and upon the land described in the third Schedule to the Principal Ordinance and the buildings erected thereon the improvements repairs alterations and additions referred to in Paragraph (d) of Clause 6 of the Principal Ordinance will be approximately One thousand four hundred and fifty pounds (£1,450) and it is anticipated by the Rector and Church Wardens of the said Parish that after providing for such cost in addition to having provided for the moneys to be paid pursuant to Paragraphs (a)

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(b) and (c) of such Clause there will remain approximately the sum of Five hundred and eighty pounds (£580) of the proceeds of the sale of the land described in the second schedule to the Principal Ordinance AND WHEREAS the cost of erecting the new Church building on the land described in the first schedule to the Principal Ordinance exceeded the estimated cost and there remains owing to the Builder of the new Church building the sum of approximately Two thousand four hundred pounds (£2,400) AND WHEREAS by reason of circumstances subsequent to the creation of the trusts affecting the lands described in the first second and third schedules to the Principal Ordinance and subsequent to the passing of the Principal Ordinance it is expedient to vary the Principal Ordinance and extend the powers and authorities thereby conferred in manner hereinafter set forth. 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:—

1. The Corporate Trustees are hereby empowered to borrow from The Mutual Life and Citizens' Assurance Company Limited the sum of Nine hundred pounds (£900) on the security of the mortgage from the Corporate Trustees to The Mutual Life & Citizens' Assurance Company Limited which is now subsisting over the lands described in the first and third schedules to the Principal Ordinance and to execute such memorandum or other document as shall be necessary or requisite for the purpose of increasing the principal sum owing under such mortgage by Nine hundred pounds (£900) to Eight thousand seven hundred pounds (£8,700). The said sum of Nine hundred pounds (£900) shall be applied by the Corporate Trustees firstly in payment of the costs, charges and expenses of and incidental to this Ordinance and the increase of the principal sum owing under the said mortgage and subject thereto shall be paid to the Rector and Church Wardens for the time being of St. James' Carlton whose receipt shall be a sufficient discharge therefor and who shall apply the moneys received in or towards payment of the balance of the cost of the erection of the new brick Church building on the land described in the first schedule to the Principal Ordinance. The exercise by the Corporate Trustees of the power hereby conferred shall be deemed to be part of a first exercise of the power conferred on the Corporate Trustees by Paragraph (i) (a) of Clause 3 to the Principal Ordinance.

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2. Paragraph (e) of Clause 6 of the Principal Ordinance shall be omitted and the following paragraph substituted therefor:

- (e) As to the balance of such moneys remaining after making the payments aforesaid or provision for such payments in payment of the same to the Rector and Church Wardens for the time being of St. James' Church Carlton whose receipt shall be a sufficient discharge therefor and who shall apply such moneys in or towards payment of the balance of the cost of the erection of the new Church building on the land described in the first schedule thereto.

3. This Ordinance shall be styled and cited as the "St. James' Carlton Mortgaging and Sale (Amendment) Ordinance 1954."

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

W. G. HILLIARD, Bishop,  
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 26th day of July, 1954.

H. V. ARCHINAL,  
Diocesan Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,  
Archbishop of Sydney.

26/7/1954.