

---

*St. Peter's Church Hornsby Land Mortgage.*

---

**Standing Committee of Synod—Diocese of Sydney.**

Under the powers given to the Standing Committee by the  
"Church of England Trust Property Act 1917."

---

ORDINANCE to authorise the mortgaging of certain lands situate at Hornsby in the County of Cumberland Parish of South Colah in the State of New South Wales and to provide for the application of the proceeds thereof.

WHEREAS a certain Ordinance known as the "St. Peter's Church Hornsby Land Mortgage Ordinance of 1907" (hereinafter referred to as the 1907 Ordinance) authorised the raising of a sum of money not exceeding One thousand pounds upon the security of the land and buildings therein mentioned and in the manner therein more particularly set forth and directed that the amount to be raised should be paid to the Rector for the time being of the Parish of Wahroonga and Hornsby and the Churchwardens for the time being of the said Church of St. Peter Hornsby and should be by them applied for or towards the building of a Church upon the land in the said Ordinance referred to AND WHEREAS by a further Ordinance intituled "St. Peter's Church Hornsby Land Mortgage Ordinance Amendment Ordinance of 1912" it was ordained and declared that so much of the said St. Peter's Church Hornsby Land Mortgage Ordinance of 1907 as directed that the amounts raised under and by virtue thereof should be paid to the Rector for the time being of the Parish of Wahroonga and Hornsby and the Churchwardens for the time being of the Church of St. Peter's Hornsby should be repealed and that the said amounts should be paid to the Rector for the time being of the new Parish of Hornsby and the Churchwardens for the time being of the said Church of St. Peter Hornsby and should be applied by them for or towards the building of the said Church upon the said piece of land AND WHEREAS a certain Ordinance known as the "St. Peter's Church Hornsby Land Mortgage Ordinance of 1922" (hereinafter referred to as the 1922 Ordinance) authorised the raising of a further sum of money which with the amount author-

---

*St. Peter's Church Hornsby Land Mortgage.*

---

ised to be obtained by the 1907 Ordinance would not exceed £1500 upon the security of the land and buildings in the last mentioned Ordinance mentioned and in the manner in the 1922 Ordinance more particularly set forth and directed that the amount to be raised should be paid to the Rector for the time being of said Parish of Hornsby and the Churchwardens for the time being of the said Church of St. Peter Hornsby and should be by them applied for or towards the building of the said Church upon the said piece of land AND WHEREAS since the passing of the 1922 Ordinance it has been discovered that the said Church cannot be completely erected on the said piece of land and that the same must extend over the northern boundary thereof and the southern boundary of the piece of land next hereinafter mentioned at a point whereon where such boundaries meet AND WHEREAS the Church of England Property Trust Diocese of Sydney is the registered Proprietor of the piece of land described in the Schedule hereto and comprised in Crown Grant dated the 18th day of August 1914 Registered Volume 2512 Folio 104. AND WHEREAS by Deed Poll duly executed under its Corporate Seal and dated the 17th day of May 1917 the said Church of England Property Trust Diocese of Sydney declared that it should stand seized or interested in and registered as the Proprietor of the said last-mentioned land upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another of such purposes in connection with the Church of England in the Parish of Hornsby AND WHEREAS the money so authorised to be raised as aforesaid has not yet been obtained and it is expedient that the said last-mentioned piece of land should be included in the Mortgage to be given to secure the repayment of such money in addition to the said first-mentioned piece of land AND WHEREAS by an Act of Parliament passed in the eighth year of the reign of His Majesty King George the Fifth entitled the "Church of England Trust Property Act 1917" (No. 21) it was enacted that during the recess of a Synod a Committee Council or other body of persons appointed for that purpose by Ordinance of Synod might in place of such Synod exercise "such of the powers and functions referred to in the said Act as should be determined by Ordinance of the Synod" AND WHEREAS by an Ordinance of the Synod passed

---

*St. Peter's Church Hornsby Land Mortgage.*

---

in the year One thousand nine hundred and eighteen the Standing Committee was appointed for the purpose of exercising and accordingly might during the recess of the Synod of the Diocese exercise in the place of such Synod all or any of the powers and functions and do and make all or any of the things referred to in sections 26 to 31 (inclusive) constituting Part VI. of the said Act 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 said Acts and Ordinance 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 and by the "Church of England Trust Property Act 1917" or otherwise in the name and in place of such Synod ordains directs and rules as follows:—

1. That for the purpose of carrying out and giving effect to the trusts in the 1907 Ordinance and the 1922 Ordinance mentioned it is expedient that the said land comprised in Certificate of Title dated the 18th August 1914 Registered Volume 2512 Folio 104 and more particularly described in the Schedule hereto and the building to be erected thereon should be included in the Mortgage to be given to secure the repayment of the moneys by such Ordinances authorised to be raised in addition to the land and buildings mentioned in such Ordinance.

2. That the said piece of land and building and the appurtenances may be included in the said Mortgage accordingly.

3. That the said moneys so to be raised shall be paid to the Rector for the time being of the said Parish of Hornsby and the Churchwardens for the time being of the said Church of St. Peter Hornsby and shall be by them applied for or towards the building of the said Church upon the said pieces of land.

4. That the said pieces of land and buildings may be Mortgaged from time to time for the purpose of raising any sum not exceeding £1500 with which to discharge or renew the Mortgage now and by the 1907 Ordinance and the 1922 Ordinance authorised or any Mortgage or Mortgages raised in substitution for the purpose of discharging same and any interest accrued in respect thereof.

---

*St. Peter's Church Hornsby Land Mortgage.*

---

Ordinance considered in Committee and passed without amendment.

A. J. GOULD.

*Chairman of Committee.*

26/2/23.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney, this twenty-sixth day of February, 1923.

C. R. WALSH,  
*Secretary.*

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

6th March, 1923.