

AN ORDINANCE to vary the trusts declared by the "St Simon and St. Jude Bowral Sale Ordinance of 1920" and to amend the said Ordinance and to repeal the "Bowral Church of England Grammar School for Boys Ordinance of 1924" and for other purposes incidental thereto.

WHEREAS the "St. Simon and St. Jude Bowral Sale Ordinance of 1920" provided inter alia that certain moneys should be applied by the Archbishop for the time being of the Diocese of Sydney for the purpose of acquiring land in the Parish of Bowral and in or towards establishing thereon a Church of England Grammar School for Boys to be vested and managed under a Constitution as provided by the Synod of the Diocese of Sydney. AND WHEREAS in pursuance of such Ordinance the said Archbishop acquired 43 acres 3 roods 36 perches being lots 1, 2, 3 and 27 of Runnymede Estate Bowral and being the whole of the land comprised in Certificates of Title under the Real Property Act 1900 registered Volume 3547 Folio 122 and Volume 1912 Folio 13 respectively for the purpose aforesaid the said land being vested in the said Archbishop. AND WHEREAS by the "Bowral Church of England Grammar School for Boys Ordinance of 1924" a school known as the "Church of England Grammar School for Boys" was duly constituted at Bowral as therein mentioned AND WHEREAS by the "Tudor House School Ordinance of 1925" a school known as the "Tudor House School" was acquired and the Government of the same vested in a Council consisting of amongst others the Rector for the time being of the Parish of St. Simon and St. Jude Bowral AND WHEREAS the Tudor House School is situate at Moss Vale distant six miles from Bowral and it is no longer expedient to carry on the Church of England Grammar School for Boys at Bowral AND WHEREAS by virtue of the establishment of the Tudor House School at Moss Vale and the School at Bowral being no longer required it is expedient to use the Bowral land so acquired together with certain moneys as hereinafter mentioned for the purposes of a school for girls at Bowral AND WHEREAS by the "Sydney Church of England Girls' Grammar School Ordinance of 1895" since amended

## 2 *St. Simon and St. Jude Bowral Sale Further Amending*

the Sydney Church of England Grammar School for Girls was duly constituted at Sydney with power for the Council of the said School from time to time to establish and manage similar schools in other parts of the diocese of Sydney AND WHEREAS in pursuance of such Ordinance a branch of the said School was established at Bowral AND WHEREAS the land acquired for the Church of England Grammar School for Boys is vested in the Archbishop of Sydney as aforesaid and the land acquired for the Church of England Grammar School for Girls is also vested in the said Archbishop of Sydney AND WHEREAS it is expedient that the aforesaid 43 acres 3 roods and 36 perches of land and also the one-half share of the remaining proceeds mentioned in subsection b clause 4 of the "St. Simon and St. Jude Bowral Sale Ordinance of 1920" subject to a deduction of £213 18s. 3d. as hereinafter mentioned shall be held upon trust for the Sydney Church of England Grammar School for Girls AND WHEREAS it is expedient that the "Bowral Church of England Grammar School for Boys Ordinance of 1924" should be repealed AND WHEREAS the said sum of £213 18s. 3d. was paid in error under the "St. Simon and St. Jude Bowral Sale Ordinance of 1920" as hereinafter mentioned and it is desired to confirm the said payment and otherwise amend the said Ordinance AND WHEREAS under the said Ordinance power was given to sell the land described in the second and third schedules thereto AND it is now expedient to vary the trusts in respect of the proceeds of portion of the land described in the second schedule thereto such portion of land being described in the schedule hereto 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 the "Land Ordinance Procedure and Delegation of Powers Ordinance 1926" 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. The 43 acres 3 roods 36 perches of land being lots 1, 2, 3 and 27 of Runnymede Estate Bowral and being the whole of

the land comprised in Certificates of Title under the Real Property Act 1900 registered Volume 3547 Folio 122 and Volume 1212 Folio 13 respectively now vested in the Archbishop of Sydney for the purposes of the Church of England Grammar School for Boys at Bowral shall on the passing of this Ordinance be and the same is hereby vested in the said Archbishop of Sydney for the purposes of the Sydney Church of England Grammar School for girls in lieu of the Church of England Grammar School for Boys Bowral.

2 The one-half share of the remaining proceeds mentioned in sub-section b clause 4 of the "St. Simon and St. Jude Bowral Sale Ordinance of 1920" shall on the passing of this Ordinance (subject to deducting thereout all the costs charges expenses of and incidental to the Bowral Church of England Grammar School for Boys Ordinance and this Ordinance and the said sum of £213 18s. 3d.) be paid to the Council of the Sydney Church of England Grammar School for Girls for the general purposes of the said School and the receipt of the treasurer for the time being of the said Council shall be a sufficient discharge for the said payment.

3. The "St. Simon and St. Jude Bowral Sale Ordinance of 1920" is hereby further amended as follows:—By deleting sub-section c clause 4 and substituting the following:—

(c) The other half of the said proceeds shall be invested in manner hereinafter mentioned and the nett income arising therefrom (with the exception of the proceeds of the land described in the Schedule hereto) applied as follows:—A sum not exceeding one hundred and fifty pounds per annum to be paid to the Minister for the time being of the said Church and the balance used in the following manner:—Half for the Home Mission Society of the Diocese of Sydney and half for the Church Parsonage or Parish Hall purposes within the Parish of Bowral the receipt of the Rector and Churchwardens for the time being of the said Church being a sufficient discharge for such half.

(d) The income of the proceeds of the land described in the Schedule hereto shall be paid to the Rector and Churchwardens for the time being of the Church of

St. Simon and St. Jude Bowral whose receipt shall be a sufficient discharge and be by them applied for the purpose of repairing remodelling and/or extending the church and/or rectory buildings in the said Parish.

4. The payment of £213 18s. 3d. already made to the Rector of St. Simon and St. Jude out of the capital sum referred to in sub-section c clause 4 of the aforesaid Ordinance is hereby confirmed but such capital sum shall be repaid the said sum of £213 18s. 3d. by allocating the £213 18s. 3d. referred to in clause 2 of this Ordinance.

5. The "Bowral Church of England Grammar School for Boys Ordinance of 1924" is hereby repealed but such repeal shall not invalidate anything done under the said Ordinance.

6. This Ordinance may be cited as the "St. Simon and St. Jude Bowral Sale Varying and Repealing Grammar School Ordinance of 1926."

#### THE SCHEDULE REFERRED TO.

All that piece or parcel of land containing 1 acre 3 roods 15 $\frac{1}{2}$  perches being part of "The Glebe" land at Bowral in the Parish of Mittagong County of Camden and State of New South Wales Commencing at a point on the West side of Edward Street bearing North distant 66 feet from the North West corner of Lot 3 of Section C of "The Glebe" Subdivision being D.P. 11838 and bounded thence on the East by Edward Street being a line bearing North distant 356 feet 8 $\frac{1}{2}$  inches thence by a line bearing 315 degrees 0 minutes distant 14 feet 1 $\frac{1}{2}$  inches to the South side of Boolway Street thence by that side of that street being a line bearing West distant 132 feet 2 inches and again by a line bearing 296 degrees 46 minutes distant 82 feet 8 $\frac{1}{2}$  inches thence on the West by a line bearing South distant 403 feet 11 $\frac{1}{2}$  inches and thence on the South by a line bearing East distant 216 feet to the point of commencement be the several dimensions hereinbefore mentioned a little more or less.

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

A. J. GOULD,  
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this first day of November, 1926.

C. R. WALSH,  
Secretary.

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

4th November, 1926.