

**The Cathedral Building Trusts  
Ordinance, 1936.**

**AN ORDINANCE.**

To declare the trusts of the Cathedral Church of Christ Church Grafton and of the Chapter House of the Cathedral Chapter.

**PREAMBLE.**

Whereas a petition has been made in due form by the Incumbent Churchwardens and Councillors of the Parish of Christ Church Grafton to the Synod of the Diocese of Grafton

under the provisions of the Church of England Trust Property Act, 1917, and the Church Trust Property Ordinance, 1934, to permit the trusts of the lands described in Schedule 1 hereto and the buildings thereon known as Christ Church Cathedral to be varied so that they may be held as trusts of or for the Cathedral Church of the Diocese of Grafton; And Whereas it is desirable that proper accommodation be provided for the Cathedral Chapter to declare the trusts in respect of the land described in Schedule 2 hereto so that the said land shall be held upon trust for the use and purposes of the Cathedral Chapter. Be it therefore enacted by the Bishop, Clergy and Laity of the Diocese of Grafton in Synod assembled as follows:—

#### OPINION.

1. This Synod is of opinion that it has become inexpedient to carry out or observe the particular trusts (if any) of the lands described in Schedule 1 hereto and buildings thereon held in connection with the Parish of Christ Church Grafton as trusts of or for a Parish Church only: And that it is desirable that the said trusts be held as trusts in addition as and for the Cathedral Church of the Diocese of Grafton; And that the particular trusts (if any) of the land described in Schedule 2 hereto and building thereon held in connection with the Diocese of Grafton as trusts of or for a Bishop's Registry should be varied and the said land and building be held as trusts of or for a Chapter House for the use and purposes of "The Chapter" of the Grafton Cathedral.

2. The Church of Christ Church Parish of Grafton shall be and is hereby appointed to be the Cathedral Church of the Diocese of Grafton hereinafter mentioned as the Cathedral and shall be used as such and also subject to the provisions of the Cathedral Ordinance now or hereafter to be in force as the Church of the Parish of Christ Church, Grafton; And the building known as the Bishop's Registry shall be and is hereby appointed to be the Chapter House of the Cathedral Chapter and as such used for the spiritual offices of the said Chapter and the Corporate Trustees of the Diocese of Grafton in whom the several said properties are vested and every other person in any way acting in or about the execution of the Trusts relating thereto shall observe perform and keep the provisions of this Ordinance.

3. This Ordinance may be cited for all purposes as "The Cathedral Buildings Trusts Ordinance, 1936."

#### SCHEDULE 1.

Firstly that piece or parcel of land situated in the County of Clarence Parish of Great Marlow and City of Grafton and being allotment number seven of section number nine.

Secondly that piece or parcel of land situated in the County of Clarence Parish of Great Marlow and City of Grafton and being allotment number eight of section number nine.

Thirdly that piece or parcel of land situated in the County of Clarence Parish of Great Marlow and City of Grafton and being allotment number ten of section number nine.

2. It shall be lawful under and by virtue of the powers conferred by the Church of England Trust Property Act 1917 from time to time to mortgage the lands described in the Schedule hereto for a sum not exceeding seven hundred and fifty pounds. Provided that after the expiration of five years from the date in the first instance of the mortgaging no renewal of any such mortgage or no fresh mortgage shall be valid for a larger sum than five hundred pounds and thereafter no such renewal and no fresh mortgage shall be valid unless the sum thereby secured is less than the sum of five hundred pounds after deducting therefrom the sum of at least thirty pounds per annum for each further year that shall have elapsed from the passing of this Ordinance.

3. The Corporate Trustees of the Diocese of Grafton shall in its own name and as its own act and deed execute and do all necessary mortgages or other securities acts and things for giving full and complete effect to the provisions of this Ordinance according to its true intent and meaning.

4. The money advanced on any such mortgage shall be paid to the Corporate Trustees of the Diocese of Grafton whose receipt shall be an effectual discharge and no mortgagee shall be concerned to see the application of the money so advanced.

The Corporate Trustees of the Diocese of Grafton shall apply the money so advanced as follows:—In defraying the expenses incurred in restoring and re-modelling the Rectory house erected on the land described in the Schedule hereto.

#### SHORT TITLE.

5. This Ordinance may be cited and known as "The Port Macquarie Rectory Land Mortgage Ordinance, 1936."

#### SCHEDULE.

All that piece of land containing by admeasurement one acre twenty-one and three-quarter perches or thereabouts situated in the County and Parish of Macquarie being allotment 1 of Section 7A and being the whole of the land comprised in Certificate of Title, dated the nineteenth day of May, 1908, Register Book Vol., 1876, folio 131.

We hereby certify that this Ordinance was passed by the Synod of the Diocese of Grafton on the 16th day of September, 1936.

O. N. MANNY, Clerical Secretary.

IRVING C. DIGHT, Lay Secretary.

I assent to this Ordinance.

JOHN WILLIAM GRAFTON.

Date, September 23, 1936.

**SCHEDULE 2.**

ALL THAT piece or parcel of land situated in the County of Clarence Parish of Great Marlow and City of Grafton being so much of the nearest eastern part of allotment number seven of section number five bounded on the south-west by a prolongation in a south-easterly direction of the south-west boundary of allotment number eight of section number five aforesaid.

We hereby certify that this Ordinance was passed by the Synod of the Diocese of Grafton on the sixteenth day of September, 1936.

O. N. MANNY, Clerical Secretary.

IRVING C. DIGHT, Lay Secretary.

I assent to this Ordinance,

JOHN WILLIAM GRAFTON.

Date, September 23, 1936.

————— :: —————