

WESTERN AUSTRALIA.



ANNO SEPTIMO

GEORGII QUINTI REGIS,

XXXVIII.

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No. 18 of 1917.

AN ACT to enable the Augustine Congregational Church of Bunbury (Incorporated) to sell and dispose and make use of Bunbury Town Lot Number 318, freed from the trusts and restrictions affecting the same, and to apply the proceeds of any sale or disposal of the property for the purposes of the said Church, and for other relative purposes.

[Assented to 28th March, 1917.]

**W**HEREAS Bunbury Town Lot Number 318 (hereinafter Preamble. called "the said land") is now vested in the Augustine Congregational Church of Bunbury (Incorporated) (hereinafter called "the Church") for cemetery purposes, and portion of the said land has been used for the interment of bodies: And whereas the said land is not required for the purposes aforesaid, and it is desirable to give the Church the power to sell and dispose and make use of the said land freed from the trusts and restrictions affecting the same, and to apply the proceeds of any sale or disposal of the said land for the purposes of the Church, and the

authority of Parliament is necessary to confer such powers: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title,

1. This Act may be cited as the *Bunbury Town Lot 318 Act*, 1917.

Power to sell,  
mortgage, lease,  
or use Bunbury  
Town Lot 318.

2. The Church—

(i.) may sell the said land or any part thereof and transfer or otherwise assure the same to any purchaser, freed and absolutely discharged from the trusts and restrictions affecting the same:

(ii.) may mortgage the said land or any part thereof to secure moneys lawfully borrowed, and for the purpose of such security assure the same to the mortgagee and his assigns freed and discharged as aforesaid:

(iii.) may, notwithstanding any such trusts, lease such land on such terms as may be deemed advisable:

(iv.) may use the said lands or any part thereof for the purposes of the Church:

(v.) may use for the purposes of the Church any moneys received from the sale, mortgage, or leasing of the said land or any part thereof.

Protection of  
purchasers and  
others.

3. No purchaser, mortgagee, or lessee of the said land or any part thereof shall be bound or concerned to inquire whether any power to sell, mortgage, or lease was duly and regularly exercised, or to see in any way to the application of any purchase, mortgage, or other moneys.

Magistrate may  
order removal of  
corpses buried in  
land.

4. A Resident or Police Magistrate may order the exhumation of any corpse buried in the said land for the purpose of its being buried elsewhere, due regard being had in every case to the wishes of any surviving members of the deceased's family, and such exhumation and re-interment shall take place accordingly at the expense of the Church and prior to the sale of the property.