



WESTERN AUSTRALIA.
ANNO VICESIMO SECUNDO
VICTORIÆ REGINÆ.
NO III.

AN ORDINANCE for vesting Church of England Lands in Western Australia in the Lord Bishop of Perth, and his Successors.

WHEREAS it is expedient that the Provisions hereinafter contained should become and be Law; Be it therefore enacted, by His Excellency the Governor of Western Australia and its Dependencies, by and with the Advice and Consent of the Legislative Council thereof :—

Preamble.

I. THAT the Ordinance of the said Council made and passed in the 21st year of the Reign of Her present Majesty No. 10, intituled "An Ordinance for vesting Church of England Lands in Western Australia in the Bishop thereof, and his Successors," and also an Ordinance of the said Council made and passed in the 1st year of the Reign of Her said Majesty, intituled "An Act to provide for the Appointment of Trustees of Church Property," shall be and the same are respectively repealed.

Repeal of 21st Vict, No. 10-
and 1st Vict., No. 1.

II. THAT all Estate, Right and Title, legal and equitable, in and to all Lands and Tenements belonging to the Church of England in the said Colony, and now vested in any general and local or other Trustees of Church of England Property in the said Colony alone, or in any General Trustees of Church of England Property jointly with local or other Trustees of Church of England Property in the said

Right of property vested in
the Bishop.

22nd. Vict. No. 3.

Colony shall (from the first day of January one thousand eight hundred and fifty eight), by Virtue of this Ordinance, and without any formal Conveyance be divested from the said general, local, or other Trustees of Church of England Property and vest absolutely and indefeasibly in the Lord Bishop of Perth, and his Successors as sole Trustee thereof, upon the Trusts mentioned in the several Deeds or other Assurances in the Law conveying such Lands and tenements to such general and local or other Trustees of Church of England Property.

Indemnity to Trustees.

III. THAT all Persons who shall have acted in any manner as general and local or other Trustees of Church of England Property under and in pursuance of the said recited Ordinance, or any other Ordinance or Law whatsoever, or under and in pursuance of any Deed of Grant from the Crown of Church of England Lands shall be and are hereby indemnified and saved harmless of and from all Responsibility that may arise or be incurred, or that has arisen or been incurred in consequence of any Act, Deed, Matter, or Thing, done or caused to be done by them, or any of them, in the Execution of any Trusts, conferred on them by such Ordinance, or Ordinances, Law or Deed of Grant, or any one or more of them; and no Action, Suit, or other Proceeding in any Court of Law or Equity in the said Colony shall be commenced, instituted, or prosecuted by any Person or Persons, against such general and local or other Trustees of Church of England Property, or any or either of them, for or on account of any such Act, Deed, Matter, or Thing as aforesaid.

Future lands to be vested in the Bishop.

IV. THAT the Estate in all Lands and Premises, which shall be hereafter granted and conveyed by any Person or Persons for Church of England Purposes, shall be vested by Deed, or other proper Assurance, in the Lord Bishop of Perth and his Successors as sole Trustee, under and subject to such Reservations, Restrictions, Stipulations, and Trusts, as may be imposed by the Donors and Grantors as the Conditions of their respective Grants, any Law or Provision to the contrary thereof notwithstanding.

Relation of Ordinance.

V. THAT this Ordinance shall have relation to and operate from the first day of January one thousand eight hundred and fifty eight.

A. E. KENNEDY,
GOVERNOR AND COMMANDER-IN-CHIEF

*Passed the Legislative Council
this 17th day of September 1858*

HENRY WAKEFORD,
Clerk of the Council.

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