



WESTERN AUSTRALIA.

ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ.

NO. IV.

AN ORDINANCE to amend an Ordinance intituled "An Ordinance to regulate the temporal Affairs of Churches and Chapels of the United Church of England and Ireland in Western Australia."

WHEREAS by the Ordinance passed in the sixteenth year of Her present Majesty No. 22 of 1853, it is amongst other things enacted that upon Easter Tuesday in every year the Pewholders and Renters of Sittings of every Church or Chapel which shall be appointed

Preamble.

by the Bishop of the Diocese for the celebration of Public Worship, according to the usages of the United Church of England and Ireland in Western Australia shall meet in the Vestry or some other convenient place and shall elect one of the said Pewholders to act as a Churchwarden, and the Clergyman licensed to officiate in such Church or Chapel, shall, at the same Time and Place nominate one other of the said Pewholders to act as Churchwarden for the same period; And whereas it is expedient to extend the qualification of Churchwardens to holders of one or more sittings in a Pew; 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:—

Churchwardens; the qualifications of.

I. THAT any Person or Persons who shall and may hold one or more Sitting or Sittings in any Pew or Pews in any Church or Chapel which shall be approved by the Bishop of the Diocese for the celebration of Public Worship according to the usages of the United Church of England and Ireland, may be elected, and act as a Churchwarden or Churchwardens under the provisions of the said recited Ordinance; and such person or persons, when so elected as aforesaid, shall exercise all the powers and authorities vested in and exercised by Churchwardens under the said recited Ordinance, in as full and ample a manner to all intents and purposes as if he or they were Pewholders.

Pew holders or renters of sittings vacating, the vacated pew or sitting may be granted to another person.

II. AND whereas it hath been found that some Pewholders and renters of Sittings in the Churches of the Colony seldom if ever occupy the same; and that the accommodation afforded in the said Churches is inadequate to the wants of the Congregation frequenting them: And whereas it is therefore desirable to provide power to appropriate such unoccupied Pews and Sittings; Be it enacted, that it shall not be lawful for any Pewholder or renter of a Sitting or Sittings, to assign, part with, or alienate his or her Pew, Sitting or Sittings to another person or persons, without the written consent of the Churchwardens; and if any such Pewholder, or renter of a Sitting or Sittings, shall assign, part with, or alienate the same, or shall vacate such Pew, Sitting, or Sittings, it shall be lawful for such Churchwardens, as often as the same shall happen (if in their opinion and after due inquiry into the circumstances, such Pew, Sitting, or Sittings shall be assigned, parted with, alienated, or vacated, without their consent) to re-grant such Pew, Sitting or Sittings, to another Person or Persons, who may forthwith occupy the same, to the entire exclusion of the last holder, renter, or occupant thereof: Provided that any holder, renter, or occupant, who shall feel aggrieved by such re-grant, may, within one calendar month therefrom, appeal therefrom to the Bishop of the Diocese, who shall thereupon have power to reverse the re-grant of the said Churchwardens, and by writing under his hand and Episcopal

24th Vict., No. 4.

Seal, to signify such reversal and to reinstate the Person or Persons who shall have been so deprived of such Pew, Sitting or Sittings; and such written Reversal and Restitution shall be final and conclusive on all parties, and shall and may be pleaded in Bar, and form and be a sufficient Answer and Defence to any Action, suit, or proceeding, on account or in consequence of such re-grant as aforesaid.

A. E. KENNEDY,

GOVERNOR AND COMMANDER-IN-CHIEF

*Passed the Legislative Council,
this 5th day of October, 1860.*

HENRY WAKEFORD,

Clerk of the Council.

L.S.