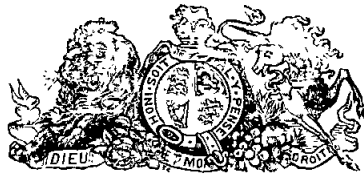


VICTORIA.



ANNO DECIMO SEXTO

# VICTORIÆ REGINÆ.

*By His Excellency CHARLES JOSEPH LA TROBE, ESQUIRE, Lieutenant Governor of the Colony of Victoria and its Dependencies, with the advice and consent of the Legislative Council.*

## No. XXVIII.

### An Act more effectually to promote the erection of Buildings for Public Worship and to provide for the maintenance of Ministers of Religion in the Colony of Victoria. [Assented to 18th January, 1853.]

**W**HEREAS for the advancement of the Christian Religion and the promotion of good morals in the Colony of Victoria it is expedient to encourage the observance of Public Worship and for this purpose to authorise the issue from the revenue of the said Colony of sums to be applied in aid of the erection of buildings for Public Worship and of the maintenance of ministers of religion Be it therefore enacted by His Excellency the Lieutenant Governor of the said Colony of Victoria by and with the advice and consent of the Legislative Council thereof as follows:—

Preamble.

I. An Act of the Governor and Legislative Council of the Colony of New South Wales passed in the seventh year of the Reign of His late Majesty King William the Fourth intituled "*An Act to promote the building of Churches and Chapels and to provide for the Maintenance of Ministers of Religion in New South Wales*" shall be and the same is hereby repealed.

Repeal of Act of 7 Will. 4, No. 8.

II. Whenever a sum not less than two hundred pounds shall have been raised by contribution and applied towards the erection of a building for Public Worship or a sum not less than fifty pounds towards the erection of a dwelling for a Minister of Religion to officiate in a building for Public Worship in any part of the said Colony it shall be lawful for the Lieutenant Governor with the advice of the Executive Council by Warrant under his hand directed to the Public Treasurer of the said Colony and subject to such regulations for the due appropriation and application thereof as shall from time to time be made by the said Lieutenant Governor and Executive Council to cause to be issued out of the General Revenue of the said Colony in aid of the undertaking any sum of money not exceeding twice the amount of the said contribution Provided that the whole amount so to be issued from the said General Revenue in aid of the erection of any Building for Public Worship shall not exceed the sum of two thousand pounds and in aid of any Minister's Dwelling the sum of four hundred pounds.

Regulating Issue of Public Money in aid of places of Worship and Ministers' dwellings.

III. It shall be lawful for the said Lieutenant Governor with the advice of the Executive Council by warrant under his hand directed as aforesaid and subject to such regulations as aforesaid to authorise from time to time the issue from the General Revenue

Ministers' Stipends.

of

of Stipends towards the support of the Ministers of religion duly appointed to officiate in any Building for the purpose of Public Worship already erected or to be erected in manner aforesaid such stipends being issued at the several rates hereinafter mentioned that is to say in case it shall be shown to the satisfaction of the said Lieutenant Governor and Executive Council that there is resident within a reasonable distance of the Building or proposed Building for the purpose of Public Worship a population of one hundred adult persons and such persons shall subscribe a declaration setting forth their desire to attend such Building for Public Worship it shall be lawful to issue to the Minister thereof in manner aforesaid a sum not exceeding two hundred pounds a year and in case of a population of one hundred and fifty adults resident as aforesaid who shall subscribe such declaration a sum not exceeding three hundred pounds a year and in case of a population of three hundred adults resident as aforesaid who shall subscribe such declaration a sum not exceeding four hundred pounds a year which shall be the highest stipend to be issued under the provisions of this Act towards the support of any one officiating Minister of Religion Provided that the stipend so issued shall not exceed twice the amount which shall have accrued or been paid in each year towards the maintenance of such Minister.

Ministers' Stipends in cases where there are not one hundred adults.

IV. In case the number of persons by whom such declaration as aforesaid shall be subscribed shall be less than the number of one hundred it shall nevertheless be lawful for the Lieutenant Governor with the advice of the Executive Council and subject to such regulations as aforesaid to cause to be issued subject to the proviso aforesaid a stipend to the Minister of any such Building for Public Worship of two hundred pounds a year if under the special circumstances of the case the said Lieutenant Governor and Executive Council shall deem it expedient.

As to increase of Stipends.

V. It shall be lawful for the Lieutenant Governor and Executive Council whenever the number of adult persons resident as aforesaid shall have been increased and upon a declaration subscribed by so many adult persons resident as aforesaid as would authorise under the provisions of this act the issue of a larger stipend to any Minister of Religion to direct the issue of the stipend proportioned to such increased numbers as is by this Act directed.

Ministers' Stipends where there is no place of Public Worship.

VI. In case any sum not less than fifty pounds for any one year shall be raised by private contributions towards the maintenance of a Minister of Religion in any part of the said Colony in which there shall be no building for public worship at which persons of the creed of such Minister can be reasonably expected to attend and there shall also appear reasonable cause for delaying the erection of a permanent building for public worship for the use of such persons under the foregoing provisions it shall be lawful for the said Lieutenant Governor with the advice of the Executive Council and subject to such regulations as aforesaid to cause to be issued from the General Revenue of the said Colony in manner aforesaid towards the maintenance of such Minister any sum not exceeding twice the amount of such private contributions provided that the highest rate of stipend to be issued by the Government shall not exceed three hundred pounds

Before Stipend to be issued proof to be adduced of due performance of duties.

VII. Once at least in every year during or for which the stipend of any Minister shall be issued as aforesaid such proof shall be produced to the said Lieutenant Governor and Executive Council as they shall require of the sufficient and regular performance of the duties in respect of which such stipend shall be respectively issued And if it shall appear to the said Lieutenant Governor and Council that the said duties have been culpably or wilfully neglected it shall be lawful for the said Lieutenant Governor and Council to withdraw the said stipend for such time as to them shall seem proper.

Appointment of Trustees.

VIII. No sum of money shall be issued as aforesaid towards the erection of any Building for Public Worship or Minister's dwelling in the manner

manner aforesaid or towards the stipend of any Minister of Religion to officiate in any such Building unless the real estate in the site of such Building or Minister's dwelling house and of any lands and hereditaments thereunto belonging has been already duly conveyed to some person or persons in trust for the purposes or promotion of Public Worship or until Trustees not less than three nor more than five in number shall have been nominated by the person or persons contributing towards the erection of such Building or Dwelling for the approval of the Lieutenant Governor and Executive Council and such real estate as aforesaid shall have been conveyed to the said trustees when appointed or approved upon Trust for the erection maintenance and repair of such Building for Public Worship and Minister's dwelling and for the provision and promotion of Public Worship in such Building.

IX. It shall be lawful for any Trustees appointed by virtue of this Act to accept and take from any person willing to give the same any lands or hereditaments adapted for the site of any Building for the purpose of Public Worship or Minister's dwelling with a garden and other appurtenances thereunto.

Trustees may accept land, &c.

X. As soon as conveniently may be after the completion of any Building for Public Worship under the provisions of this Act pews sittings or benches in any such Building amounting to not less than one sixth part of the whole of the sittings in every such Building for Public Worship shall be appropriated and set apart for the use of persons resorting thereto upon which pews sittings or benches so to be appropriated no rent whatever shall at any time be charged or imposed.

As to free seats.

XI. If no Trustee or Trustees has or have been previously appointed it shall be lawful for the Lieutenant Governor with the advice of the Executive Council within six months after the passing of this Act to nominate not less than three nor more than five of the Members of the Religious Denomination for whose use any Building now erected for Public Worship is maintained to be Trustees thereof and to whom shall be conveyed as soon as conveniently may be the real estate in the said Building for Public Worship and Minister's dwelling upon trust for the maintenance and repair of such Building and Minister's dwelling and for the provision and promotion of Public Worship in such Building.

Appointment of Trustees for Buildings already erected.

XII. Nothing in this Act contained shall be held in any manner to affect the appropriation of the monies now by law set apart for the purposes of Public Worship.

Not to affect the appropriation of monies set apart for public worship.

XIII. It shall not be lawful to issue in any one year under the provisions of this Act in aid of the erection of Buildings for Public Worship Minister's dwellings and stipends of Ministers of Religion any monies exceeding in the aggregate the sum of thirty thousand pounds which sum of thirty thousand pounds shall be a primary charge on the public funds arising out of the taxes duties rates and imposts levied within the said Colony provided that no monies exceeding in the aggregate the sum of fifteen thousand pounds shall be issued in any one year in aid of the stipends of Ministers of Religion.

Amount to be expended under this Act not to exceed in one year £30,000 which sum shall be a primary charge on Revenue.

XIV. It shall not be lawful to appropriate to any Denomination in any one year in aid of all or any of the objects aforesaid more than the proportionate sum to which such Denomination would be entitled if such sum of thirty thousand pounds had been apportioned among the several Denominations according to the then last preceding census of the population.

Amount to be appropriated to each Denomination according to last Census.

XV. An account of all monies appropriated under the provisions of this Act during every year shall be laid before the Legislative Council within thirty days after the commencement of the next ensuing Sessions thereof.

An Account to be submitted annually to Legislative Council.