

No. XVI.

CHURCH BUILDING.

An Act to authorize the payment of Monies for the Year One thousand eight hundred and thirty-nine to certain Presbyterians in New South Wales under the provisions of an Act 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.*” [20th September, 1838.]

Preamble.

7 Wm. IV., No. 3.

The Governor with the advice of the Executive Council empowered to issue stipends &c. under provisions of 7 Wm. IV. No. 3.

Proviso that the Act 8 W. IV. No. 7 shall not be repealed.

WHEREAS by an Act of the Governor of New South Wales with the advice of the Legislative Council thereof 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*” it was among other things enacted that the Governor with the advice of the Executive Council should authorize the payment of stipends to ministers of religion duly appointed to officiate in churches and chapels to be erected in the said Colony and also that before any sum of money should be issued from the Colonial Treasury towards the building of any church or chapel trustees should be nominated as therein mentioned And whereas by a subsequent Act of the said Governor and Council passed in the eighth year of the reign of His late Majesty King William the Fourth intituled “ *An Act to regulate the temporal affairs of Presbyterian Churches and Chapels connected with the Church of Scotland in the Colony of New South Wales*” after reciting the aforesaid Act it is enacted that the trustees appointed for all Presbyterian churches and ministers’ dwellings shall be elected and appointed in manner therein mentioned and their names transmitted through the Presbytery of New South Wales for the approval of the Governor and Executive Council and further that the officiating ministers in all such churches shall be recognized and certain other matters therein mentioned shall be sanctioned by the said Presbytery And whereas there are certain Presbyterians in the said Colony ministers as well as other persons professing to hold the standards of the Church of Scotland but disclaiming the jurisdiction of the said Presbytery of New South Wales who are by the provisions of the said last recited Act deprived of the benefits contemplated for all Christian churches by the said first recited Act Be it therefore enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council thereof That it shall and may be lawful for the said Governor with the advice of the Executive Council to issue for the year one thousand eight hundred and thirty-nine stipends to such ministers as aforesaid and also to grant such sums of money for the erection of churches and dwelling-houses for such ministers as may be required in conformity with the provisions of the Act herein first recited in the same manner as if the said last recited Act had not been passed subject nevertheless to such rules and regulations as the said Governor and Executive Council may deem it expedient to make with respect to the same Provided that nothing herein contained shall be deemed or construed to give to such ministers any right title or claim to any churches chapels ministers’ dwellings burial grounds or sites for such as may have been already granted promised

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promised or selected for the use of ministers belonging to the Presbytery of New South Wales as by law established in this Colony previous to the passing of this Act or to repeal or in any other manner whatsoever to interfere with or alter the said last recited Act but the same shall remain and be of the same force and effect in all other respects and to all intents and purposes as if this Act had not been passed And provided further that the sites of all churches and ministers' dwelling which may be erected in part from the public funds advanced in conformity to the provisions of this Act shall be ultimately vested in the Presbyterian Church which may be recognized by competent authority as the Church of Scotland in this Colony.
