

## II.

# LOCAL AND PERSONAL ACTS

OF THE

## PARLIAMENT OF QUEENSLAND,

9° EDWARDI VII.

### BRISBANE WATER SUPPLY AND SEWERAGE.

*See WATER AND SEWERAGE.*

### CHURCHES AND CHAPELS.

#### An Act to Make Provision for the Vesting of Certain Property in the Presbyterian Church of Queensland.

9 Edw. VII.  
No. 8.  
THE PRESBY-  
TERIAN  
CHURCH  
PROPERTY  
ACT OF 1909.

[ASSENTED TO 22ND DECEMBER, 1909.]

**W**HEREAS it is expedient that provision should be made to facilitate the vesting in the Presbyterian Church of Queensland of property belonging to it: 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 Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Presbyterian Church Property Act of 1909.*" Short title.

2. In this Act, unless the context otherwise indicates, the following terms have the meanings set against them, respectively, that is to say,— Interpretation.

"The Corporation"—The Corporation styled "The Presbyterian Church of Queensland," created by Letters Patent dated the thirteenth day of June, one thousand eight hundred and seventy-six, issued in pursuance of "*The Religious Educational and Charitable Institutions Act of 1861*";\*

"The General Assembly"—The General Assembly of the Presbyterian Church of Australia in the State of Queensland;

\* 25 Vic. No. 19, *supra*, page 266.

*Presbyterian Church Property.* 9 EDW. VII. No. 8, 1909.

“Church Property”—Any real or leasehold property now or hereafter held by any person in trust for the Presbyterian Church of Queensland generally, or for any congregation of that church, or for any other purpose in connection with that church or any congregation thereof.

Application of this Act to church property.

3. The General Assembly may, from time to time, by resolution, declare that this Act shall apply to any particular church property, and thereupon such church property shall, for all the estate or interest in respect of which it is then held in trust as aforesaid, if not under the provisions of the “*Real Property Act of 1861*,”\* forthwith vest in the Corporation absolutely, subject to any then subsisting mortgage, lien, encumbrance, or lease, or, if under the provisions of the “*Real Property Act of 1861*,”\* vest in the Corporation in the like manner upon the Registrar of Titles effecting the registration hereinafter provided for: Provided that no such resolution shall have any effect, unless the congregation (if any) for which such church property is held consents to such resolution by a resolution passed in accordance with the rules for the time being of the Presbyterian Church of Australia in the State of Queensland.

Duty of Registrar of Titles.

4. The Registrar of Titles, upon being satisfied that a resolution of the General Assembly has been duly passed, and, if necessary, consented to, in accordance with the last preceding section of this Act, and that the land intended to be affected by such resolution is church property, and is under the provisions of the “*Real Property Act of 1861*,”\* shall register the Corporation as proprietor of such land for the estate or interest in respect of which such church property is held in trust as aforesaid, subject to any then subsisting mortgage, lien, encumbrance, or lease.

Exemption of resolutions, etc., from stamp duty, etc.

5. No stamp duty shall be payable on any such resolution, nor on any request or other instrument in connection with the registration of such resolution, and no registration fee shall be payable for any such registration.

Evidence.

6. A certificate, under the seal of the Corporation and the hands of the moderator, clerk, and treasurer of the General Assembly, or any two of them, shall be *prima facie* evidence that such resolution has been duly passed and consented to in accordance with the provisions of this Act.

\* 25 Vic. No. 14, *supra*, page 2148.

9 Edw. VII. No. 21, 1909. *Tuchekoi State Forest, Etc., Boundaries.*

7. The General Assembly may, from time to time, make rules and regulations for the management, leasing, mortgaging, sale, exchange, and disposition by the trustees of any church property not vested in the Corporation, and may, from time to time, revoke, alter, or vary the same.

8. Nothing in this Act shall be construed to repeal or in any way affect the provisions of "*The Wickham Terrace Presbyterian Church Act of 1884*,"\* "*The Ann Street Presbyterian Church Act of 1889*,"† or "*The St. Andrew's Presbyterian Church of Rockhampton Act of 1891*."‡

9. "*The Presbyterian Church Act of 1837*"§ and "*The Presbyterian Church Act Amendment Act of 1840*"|| are repealed.

## FORESTS.

### An Act to Make Available for Settlement Parts of the Tuchekoi State Forest.

[ASSENTED TO 8TH JANUARY, 1910.]

WHEREAS by a Proclamation dated the twelfth day of March, one thousand nine hundred and eight, made under "*The State Forests and National Parks Act of 1906*,"¶ the land comprised within the boundaries set forth in the said Proclamation, situated in the county of March, parish of Tuchekoi, being an area of six thousand five hundred and seventy acres, was permanently reserved and declared to be a State Forest; and whereas it is expedient that those parts of such State Forest being a total area of four thousand one hundred and ninety acres or thereabouts, comprised within the boundaries set forth in the Schedule to this Act, should be excluded from the said State Forest and be made available for selection under the Land Acts: 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 Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Tuchekoi State Forest Amendment of Boundaries Act of 1909*."

\* 47 Vic, *supra*, page 2725.

† 53 Vic, *supra*, page 3865.

‡ 55 Vic., *supra*, page 448 l.

§ 8 Wm. IV. No. 7, *supra*, page 2242.

|| 4 Vic. No. 18, *supra*, page 2246.

¶ 6 Edw. VII. No. 20, *supra*, page 9058.

9 Edw. VII.  
No. 21.  
THE  
TUCHEKOI  
STATE FOREST  
AMENDMENT  
OF  
BOUNDARIES  
ACT OF 1909.

Preamble.

Short title.