

LEX LOCI'S TRAVELS

23 NOVEMBER 2017

An ad-hoc one-pager from The Public Land Consultancy

Lex goes to Church



Lex is sitting on a very hard pew, and contemplating a very long word: *disestablishmentarianism*.

It must be one of the longest words in the English language.* It refers to the philosophy of separating church and state. It was coined in the 1860s, when it took up a disproportionate amount of space on newspaper front pages in both Australia and England.

Until then, it had been seen as quite proper for the state to reserve Crown land for the church – just as it did for town halls, court houses, post offices and army drill-halls.

But that all came to an end in 1871, when the Victorian Parliament passed Act Number 391 – the *State Aid to Religion Abolition Act*. There were to be no more hand-outs. However, the Act provided that Crown land already reserved for church purposes could be disposed of by the relevant church, which could keep the proceeds.

The pew on which Lex is sitting is in Bailey Street, Clunes. This used to be Crown land, reserved in 1863 for the purpose of a Roman Catholic Church.

Clunes was clearly a pious town: further along the street we find Crown land reserved for the Presbyterians the Wesleyans, the Primitive Methodists, and two reserves for the CofE.

Act 391 is still on the statute books, and is still in use. As congregations dwindle and churches are deconsecrated, Crown reserves are handed over in fee simple, free of charge, for the relevant archbishopric to dispose of as it sees fit. The land is invariably sold off, and the title records the fact that it derived not from a Crown Grant, but from the provisions of 'Act 391.'

So it was in Clunes. A notice in the Government Gazette in 2009 caused this land to vest in the Diocese of Ballarat.

It's now [for sale](#) for \$500,000. Lex won't be buying it, the pews are far too hard.

* but *antidisestablishmentarianism* is longer

See you there! Lex Loci