



63 VICTORIA

CHAP. 97

An Act respecting the property of the Presbyterian Church
in Canada

[Assented to 23rd March, 1900]

WHEREAS by section 13 of the act passed by the Legislature of Quebec in the 38th year of Her Majesty's reign, chapter 62, intituled "An Act respecting the union of certain Presbyterian Churches therein named," it was among other things enacted that, as soon as the union of the Presbyterian churches mentioned in the said act should take place, the Presbyterian Church in Canada and any of the trusts in connection with the said church and any of the religious or charitable schemes of the said church might, by the name thereof or by trustees, from time to time, take by gift, devise or bequest any lands or tenements or interest therein subject to the provisions and conditions therein mentioned ;

Whereas the union of the said Presbyterian Churches named in the said act has since taken place ;

And whereas the said Presbyterian Church in Canada has, by its petition, represented that it is desirable that the manner in which the said lands or tenements, or interests therein, and also all personal estate which may be given or bequeathed to the said church should be taken and held for the said church, and also that the manner by which the said lands, tenements or interests therein, and also said personal estate might be conveyed by the said church should be more clearly defined, and it is expedient that the prayer of the said petition should be granted ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Persons incorporated.

Name.

What property may be held.

Duty to pay over rents, &c.

Certain lands to vest in trust.

1. The Reverend Robert H. Warden, D. D., Honorable Mr. Justice MacLennan, Reverend William MacLaren, D.D., William Mortimer Clark, Q.C., Adam R. Creelman, Q.C., Hamilton Cassels, Robert Kilgour. and their successors to be appointed as hereinafter mentioned are hereby constituted a body politic and corporate by the name of the "Board of Trustees of the Presbyterian Church in Canada"

2. All gifts, devises or conveyances of any lands or tenements or interests therein, and all gifts and bequests of personal estate which have been or shall hereafter be made to the Presbyterian Church in Canada, and any of the trusts in connection with the said church and any of the religious or charitable schemes of the said church by the name thereof, except any trusts, schemes or institutions connected with the said church which are now or may hereafter be incorporated, shall vest in the said board of trustees as fully and effectually as if the gift, devise, bequest or conveyance had been made to it, and shall be held by the said board of trustees for the benefit of the said church or the particular scheme of the said church or of any of the said trusts in connection therewith to which the said real or personal estate has been or may be given, devised, bequeathed or conveyed.

3. The said trustees shall at all times, on the request of the committee appointed by the General Assembly of said church for the management of the said schemes or trusts, pay the annual rents, income or produce of any such lands, tenements or interests therein and of any such personal estate to the treasurer of the said church for the benefit of the scheme or trust for the use of which said lands, tenements or interest therein or personal estate shall be held by the said board of trustees, and shall also, at the like request, sell and convert into money said lands, tenements or interest therein or securities for money, and pay the proceeds of said sales to the said treasurer for the benefit of the said scheme or trust, it being expressly declared that no purchaser from said trustees shall be bound to see that said request shall have been made or to inquire as to the application of said purchase money or the regularity of the appointment of said trustees.

4. All gifts or conveyances of lands, which may be made to the Presbyterian Church in Canada as a site for a church, manse or school for the use of a congregation not then organized,

ized, shall vest in the said board of trustees on trust to convey the same to the trustees of such a congregation when it shall have been organized under the sanction of the Presbytery within the bounds of which it is situate.

5. All lands and tenements, which have been held by any trustees for any congregation which shall have ceased to exist, shall vest in the said board of trustees on trust to sell the same and pay over the proceeds of the said sale to the treasurer of the said church for the benefit of the Home Mission scheme thereof. Certain other lands also to vest in trust.

6. The said board of trustees may invest all moneys, which may come into its hands for the benefit of the said church or any of the said schemes or trusts in such securities real or personal as the said board of trustees may deem expedient, provided always that all lands which may become vested in the said board of trustees and which shall not be actually required for the purpose of sites for churches, mansees or school houses or any other purpose of the church, shall be sold within ten years after the said lands shall have become vested in the said board. Investment of money.

7. The members of the board of trustees shall be elected annually by the General Assembly and shall continue in office until their successors be appointed, and four of said trustees shall form a quorum of said board. Election of members of board.

8. The said board of trustees shall annually present a report to the General Assembly in which shall be set forth fully the various moneys, securities and property, real and personal, which shall have come into its hands and also the disposition made by it of the interest and income arising from all said moneys, securities and properties. Annual report to General Assembly.

9. This act shall come into force on the day of its sanction. Coming into force.

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