



CHAPTER 200.

An Act respecting the Property of Religious Institutions.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short Title.

1. This Act may be cited as the “Religious Institutions Act.” Short title.
R. S. 1897, c. 29, s. 1.

Power to acquire, hold, mortgage, let, and dispose of Land.

2. Where a religious society or congregation of Christians in the Province desire to take a conveyance of land for the site of a church, chapel, meeting-house, school, belfry, burial-ground, or residence for the minister, or for the support of public worship and the propagation of Christian knowledge, or for the general purposes of the congregation, or to acquire other property under this Act, such society or congregation may by deed appoint trustees, to whom, and their successors to be appointed in such manner as may be specified in the deed, the land requisite for all or any of the purposes aforesaid or such other property may be conveyed or assigned. R. S. 1897, c. 29, s. 2. (*Redrawn.*)

Provides for religious societies holding land.

3. All the rights and privileges conferred upon any religious body, society, or congregation by the last preceding section shall extend in every respect to every church, to be exercised according to the government of the said church. R. S. 1897, c. 29, s. 3.

Extends application of the last section to every church.

4. When a debt has been, or may hereafter be, contracted for the building, repairing, extending, or improving of a church, meeting-house, chapel, school, or belfry on land held by trustees for the

Property of religious bodies may be mortgaged.

benefit of any religious society or congregation of Christians in the Province, or for the purchase of the land on which the same or any of them has or have been or is or are intended to be erected, the trustees or a majority of them may from time to time secure the debt or any part thereof by a mortgage upon the land, church, meeting-house, chapel, school, or belfry held by the trustees, or may borrow to pay the debt or part thereof, and may secure the repayment of the loan and interest by a like mortgage, upon such terms as may be agreed upon. R. S. 1897, c. 29, s. 4. (*Redrawn.*)

Trustees may let
lands belonging to
religious bodies.

5. The grantees in trust named in any letters patent from the Crown, or the survivor or survivors of them, or the trustees for the time being appointed in manner prescribed in the letters patent or other deed, whereby lands are granted for the use of a congregation or religious body, and any other trustees for the time being entitled by law to hold lands in trust for the use of a congregation or religious body, may let, for any term not exceeding twenty-one years, lands so held by them for the use of a congregation or religious body, at such rent and upon such terms as the trustees or a majority of them deem reasonable; and in the lease they may covenant or agree for the renewal thereof at the expiration of any or every term of twenty-one years for a further term of twenty-one years, or a less period, at such rent and upon such terms as may then by the trustees for the time being be agreed upon with the lessee, his heirs, executors, administrators, or assigns, or may covenant or agree for the payment to the lessee, his executors, administrators, or assigns, of the value of any buildings or other improvements which may, at the expiration of any term, be on the demised premises, and the mode of ascertaining the amount of such rent or the value of such improvements may also be specified in the original lease. R. S. 1897, c. 29, s. 5.

Not without consent
of congregation.

6. But trustees shall not have the power so to let without the consent of the congregation or religious body for whose use they hold the land in trust, such consent to be signified by the votes of a majority of the members present at a meeting of the congregation or religious body duly called for the purpose; nor to let any land which at the time of making the lease is necessary for the purpose of erecting a church, place of worship, or other building thereon, or for a burial-ground for the congregation for whose use the land is held. R. S. 1897, c. 29, s. 6.

Power to acquire
and hold real
estate;

And to sell.

7. The trustees and their successors may from time to time, and at all times, acquire and hold as purchasers for the purposes of the congregation or religious body any lands, tenements, or hereditaments and personal property in the Province; and from time to time may mortgage, lease, or let the same as aforesaid, or sell, exchange, or otherwise dispose of any lands or property held by them, or any

part or parts thereof, and with the proceeds arising therefrom from time to time acquire other lands, tenements, hereditaments, and other property, real or personal, for the use and purpose of the congregation or religious body. R. S. 1897, c. 29, s. 7. (*Redrawn.*)

8. Trustees selling, mortgaging, or leasing land under the authority of this Act shall, on the first Monday in July in every year, have ready and open for the inspection of the congregation or religious body which they represent, and of any minister thereof, a detailed statement showing all rents which accrued during the preceding year, and all sums of money whatever in their hands for the use and benefit of the congregation or religious body, and which were in any manner derived from the lands under their control or subject to their management, and also showing the application of any portion of the money which has been expended on behalf of the congregation or religious body. R. S. 1897, c. 29, s. 8.

Trustees to prepare and submit to congregation a statement of their transactions.

Other Powers.

9. The trustees for the time being entitled by law to hold land in trust for a congregation or religious body may, in their own names or by any name by which they hold the land, maintain and defend actions for the protection thereof and of their property therein, and may sue or distrain for rent in arrear, and take all such means for the recovery thereof as landlords in other cases are entitled to take. R. S. 1897, c. 29, ss. 2 (*part*), 9.

Trustees may sue.

10. The Supreme Court may, in a summary manner, on complaint upon oath by three members of a congregation or religious body of any misfeasance or misconduct on the part of trustees in the performance of duties authorised by this Act, call upon the trustees to give in an account, and may enforce the rendering of such account, the discharge of any duties, and the payment of any money, so that the congregation or religious body may have the benefit thereof; and the Court may compel the trustees, in case of any misconduct, to pay the expense of the application, or may award costs to the trustees in case the application is made on grounds which the Court considers insufficient, or frivolous, or vexatious. R. S. 1897, c. 29, s. 10.

Empowers Courts to examine trustees.

11. Nothing in this Act shall empower any trustees of any religious body to occupy or use land for burial purposes within the limits of any towns or cities in the Province. R. S. 1897, c. 29, s. 11.

Burial-grounds must be outside of city limits.