



## CHAPTER 82.

### An Act Incorporating the Board of Trustees of the Presbyterian Church in Canada.

[May 11th, 1901.]

**W**HEREAS the Presbyterian Church in Canada has by petition Preamble.  
represented that it is desirable that the manner in which lands or tenements or interests therein, and also all personal estate which may be purchased for or 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 the said personal estate, might be conveyed by the said Church should be defined; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

**1.** The Reverend Robert H. Warden, D.D., the Honourable Mr. Justice Maclellan, the Reverend William MacLaren, D.D., William Mortimer Clark, K.C., Adam R. Creelman, K.C., Hamilton Cassels, Robert Kilgour, and their successors to be appointed as hereinafter mentioned, shall be and they are hereby constituted a body politic and corporate by the name of “The Board of Trustees of the Presbyterian Church in Canada,” hereinafter referred to as “the Board of Trustees.” Trustees incorporated.

**2.** All gifts, devises, conveyances or transfers of any lands or tenements or interests therein, and all assignments, gifts and bequests of personal estate which have been or shall hereafter be made to or intended for the Presbyterian Church in Canada, or 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 Property vested in trustees.

Trusts

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 assignment, gift, devise, bequest, conveyance or transfer 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 or for which the said real or personal estate has been or may be bought, given, devised or bequeathed.

Payment over to treasurer of moneys received by the trustees.

**3.** The said Board of Trustees shall, at all times on the request of the Committee appointed by the General Assembly of the 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 the said lands, premises or interests 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 the said lands, tenements or interests therein, or securities for money, and pay the proceeds of the said sales to the said Treasurer for the benefit of the said scheme or trust, it being expressly declared that no purchaser from the said Board of Trustees shall be bound to see that the said request shall have been made, or to inquire as to the application of the said purchase money or the regularity of the appointment of the said Board of Trustees; but the execution of the grant, conveyance, transfer, lease or other instrument shall be deemed sufficient and conclusive when executed as hereinafter set forth.

Lands given to church to vest in trustees.

**4.** All gifts, conveyances or transfers of lands which may be made to the Presbyterian Church in Canada as a site for a church, manse, school, hospital or cemetery, for the use of a congregation not then organised, shall vest in the said Board of Trustees on trust to convey the same to the trustees of such congregation when it shall have been organised under the sanction of the Presbytery within the bounds of which it is situate, or in default of such organisation to sell the same.

Lands of congregations which have ceased to exist.

**5.** All lands and premises which have been or shall hereafter at any time be held by any trustee or trustees for any congregation which shall have ceased to exist or has become disorganised 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 or as may be otherwise determined by the General Assembly of the said Church.

Investments by trustees.

**6.** The said Board of Trustees may invest from time to time 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, otherwise than by way of security, and which shall not be actually required for the purpose of sites for churches, manse, hospitals, cemeteries or school houses or any other purposes of the Church, shall be sold within ten years after the said lands shall have become vested in the said Board of Trustees.

**7.** The members of the said Board of Trustees shall be elected annually by the General Assembly and shall continue in office until their successors be appointed, and four of the said Trustees shall form a quorum of the said Board, and they shall elect from themselves a Chairman.

Election trustees.

Quorum.

**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 show the disposition made by it of the interest and income arising from all said moneys, securities and properties.

Annual report.

**9.** No personal liability shall attach to any of the individual members of the said Board of Trustees for the failure of any investment or security which may be made by the said Board of Trustees.

No personal liability of trustees for failure of investments.

**10.** All conveyances, grants, transfers, leases or assignments of any of said lands, tenements or securities shall be made by the said Board of Trustees under their corporate seal, which shall be attested by the signatures of the Chairman of the said Board of Trustees, the Treasurer of the said Church, and the Chairman, convener, or other presiding officer of the committee or trust (if any) for whose benefit the lands, tenements or interest therein so disposed of shall have been held, and when so attested shall be deemed sufficient and conclusive.

Conveyances, etc., how to be made.

**11.** The General Assembly of the said Church may from time to time make rules and regulations for the government and guidance of the said Board of Trustees.

Rules and regulations.