



## CHAPTER 45.

### An Act to incorporate the Anglican Synod of the Diocese of New Westminster.

[12th April, 1893.]

**W**HEREAS a petition has been presented from the Bishop and the Synod of the Diocese of New Westminster, such Diocese consisting of the Districts of New Westminster, Yale, Kootenay, and Lillooet, and a large portion of the Cariboo District, praying that the Synod should be incorporated, and it is expedient to grant the prayer of the said petition :

Preamble

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

**1.** The Lord Bishop of the Diocese of New Westminster, the licensed Clergy of the said Diocese, the Diocesan officials and Lay Delegates at present being members of the Synod of the Diocese of New Westminster, and such other persons as may hereafter become or be elected members thereof, according to the constitution and canons of the said Synod, shall be and they are hereby constituted and declared to be a body politic and corporate by the style and title of “The Synod of the Diocese of New Westminster,” hereinafter called “the Synod.”

Incorporation.

**2.** It shall be lawful for the Corporation of the Bishop of New Westminster, or any other corporation, or any person or persons, to transfer any property, real or personal, held in trust by him or them for the uses of the Church of England, or the Church of England in British Columbia, to the Synod, to be held in trust for the same purposes.

Transfer of property to Synod.

Synod may acquire lands, &c.

**3** The Synod may from time to time, and at all times hereafter, inherit, acquire, and hold, as purchasers or otherwise, for the general purposes of the Synod, any lands, tenements, and hereditaments, and personal property in the Province of British Columbia, and the same, or any part thereof, from time to time, may sell or exchange, mortgage, lease, let, or otherwise dispose of.

Constitution, canons, &c., to be filed with Registrar-General.

**4.** The Constitution, Canons, and Rules of Order of the Synod, as at present in force, shall, upon a copy thereof duly signed by the Lord Bishop of New Westminster, and under his corporate seal, being deposited with the Registrar-General of Titles at Victoria, be the Constitution, Canons, and Rules of Order for the incorporated Synod constituted under this Act, until the same be altered or amended by the Synod, in accordance with such Constitution and Canons; and any additions and amendments made thereto from time to time, duly attested by the Lord Bishop of New Westminster or his commissary, and under the seal of the Synod, shall be filed in the office of the Registrar-General of Titles at Victoria before the same shall become binding.

Certified copy of canons, &c., to be received in Courts.

**5.** A copy of the Constitution, Canons, and Rules of Order of the Synod, filed in accordance with this Act, and certified correct under the hand and seal of a Notary Public practising as such in the Province of British Columbia, shall be received in evidence in any proceedings in any Court of the Province.

“Church of England.”

**6.** The term “Church of England,” when used in this Act and in all deeds, documents, or writings that have been heretofore or may hereafter be executed, shall for the purposes of this Act be taken to mean and include that body of Christians which is acknowledged by the Archbishop of Canterbury as a body in full communion with the Church of England, as by law in England established.

Incorporation of Parishes.

**7.** Any Parish in the Diocese of New Westminster, the limits whereof have been defined by the Executive Committee of the Synod, may become incorporated in the following manner:—

- (1.) The Parish Officers, consisting of the Rector or Incumbent, the two churchwardens, and the two sidesmen for the time being, and two vestrymen elected for that purpose by the electors, shall make and sign a declaration in writing, setting forth—
  - (a.) The intended corporate name of the Parish;
  - (b.) The names of those who are to be the first trustees, who shall in every case comprise the two churchwardens and two sidesmen;
  - (c.) The mode in which their successors are to be elected or appointed;

- (d.) That the Rector or other Priest in charge of such Parish shall be ex-officio a trustee and presiding officer of such Parish Corporation; and
  - (e.) Such other particulars as the said officers may think fit, providing the same are not contrary or repugnant to law:
- (2.) The declaration shall be made and signed in three parts, and each part thereof shall be certified under the hand and seal of the Lord Bishop of New Westminster, as being approved of by the Executive Committee of the Synod and the Bishop, and shall be signed and acknowledged by the parties making the same before a Notary Public, who shall certify to the same having been so signed and acknowledged under his hand and seal of office:
- (3.) The declaration, in three parts, shall be forwarded to the Registrar-General of Titles for the Province of British Columbia, who shall receive them and file one part thereof in his office, and shall, upon receipt of the proper fees provided in Schedule A hereto for filing and publication of such declaration, forthwith enclose and send a second part of said declaration to the Provincial Secretary, who shall cause the same to be published in the next issue of the British Columbia Gazette, and for at least one month thereafter:
- (4.) The said Registrar-General shall thereupon endorse upon the third part of such declaration, and issue the same to the parties signing such declaration, a certificate of incorporation under his hand and seal, stating that the Parish so applying for incorporation is incorporated; and the persons who signed such declaration, and their successors, shall thenceforth be a body corporate and politic in fact and in name, by the name set forth in such declaration, and shall have all the powers, rights, and immunities vested by law in such bodies, with power—
- (a.) To take, receive, purchase, and otherwise acquire and hold real and personal property, and the same to manage, lease, and, with the consent of the Executive Committee and the Bishop, mortgage, sell, or otherwise dispose of:
  - (b.) To sue and be sued in any Court;
  - (c.) To make and use a corporate seal, and alter the same at pleasure;
  - (d.) To elect and appoint such officers, agents, and servants as may be necessary for conducting the business and management of such Corporation, or any property belonging to the same;

- (e.) To make by-laws, rules, and regulations for the management of the affairs of the said Corporation, and to alter, amend, and rescind the same; providing always that all such by-laws, rules, and regulations, and all amendments thereof, shall be assented to by the Executive Committee of the Synod and the Bishop before they shall become operative, and such assent shall be certified under the hand and seal of the Lord Bishop of New Westminster:
- (5) Two copies of the by-laws, rules, and regulations so made and assented to from time to time, or any amendments thereto, shall be filed in the office of the said Registrar-General:
- (6) The real and personal property and other assets of such Corporation only shall be liable for the debts of the Corporation, and no officer, churchwardens, or vestrymen shall be individually or personally liable for any debt or other liability of such Corporation:
- (7.) The fees payable under this Act shall be paid into the Consolidated Revenue Fund of the Province.

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#### SCHEDULE A.

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Filing declaration .....	\$5 00
Filing by-laws or amendments thereto.....	2 50
Publication in the <i>British Columbia Gazette</i> , according to the scale of charges defined in Schedule A of the "Statutes and Journals Act."	

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VICTORIA, B. C.:

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