



CHAPTER 97.

An Act to incorporate the Anglican Provincial Synod of British Columbia.

[Assented to 29th March, 1919.]

WHEREAS, pursuant to a Canon of the General Synod of the Church of England in Canada, a Provincial Synod, known as "The Provincial Synod of British Columbia," has been formed, consisting of all the Bishops of the Church of England in Canada having Sees within the Province of British Columbia, or executing by due authority the Episcopate as Coadjutor Suffragan, Assistant or Missionary Bishop therein, and of delegates chosen from the clergy and laity thereof: Preamble.

And whereas a petition has been presented from The Provincial Synod of British Columbia, praying that it may be incorporated, and 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 Provincial Synod of British Columbia shall be and the same is hereby made and constituted a body politic and corporate under the name of "The Anglican Provincial Synod of British Columbia" (hereinafter called "the said Synod"). Corporate name

2. The said Synod shall consist of all the Bishops of the Church of England in Canada having Sees within the Province of British Columbia, or executing by due authority the Episcopate as Coadjutor Suffragan, Assistant or Missionary Bishop therein, and their successors, and of delegates chosen from the clergy and laity thereof, according to the Constitution and Canons of the said Synod. Synod, members of.

3. The said Synod shall have perpetual succession and a common seal, with power to change and renew the same when and so often as they shall think proper, and the said Synod may, under the said General powers

name, contract and be contracted with, sue and be sued, implead and be impleaded with, answer and defend in all Courts and places whatsoever, and the said Synod shall be able and capable in law respectively to purchase, take, hold, give, receive, enjoy, possess, and retain all messuages, lands, tenements, and immovable property, money, goods, chattels, and movable property which have been or hereafter shall be paid, given, granted, appropriated, devised, or bequeathed to it, or purchased or acquired by it in any manner or way whatsoever to, for, or in favour of the eleemosynary, ecclesiastical, or educational uses and purposes within the Province of British Columbia of the Church of England in Canada, or otherwise, including thereby the uses and purposes of any church, parish, mission, institution, school, or hospital connected with the Church of England in Canada in British Columbia.

Powers as to land
and personalty.

4. The said Synod shall, in addition to the powers conferred upon it by the next preceding section of this Act, have power to sell, convey, exchange, alienate, mortgage, lease, or demise, or otherwise deal with any real or personal estate or property held by the said Synod, whether simply by way of investment or not; and the said Synod may also from time to time invest all or any funds and personal property which may be vested in or acquired by the said Synod for eleemosynary, ecclesiastical, or educational purposes aforesaid, or otherwise, in and upon any real securities or in the purchase of real estate in British Columbia, or in the public funds of the United Kingdom, or of Canada or any Province thereof, or in municipal bonds or debentures of any municipality within Canada, or in the bonds or debentures of any company, the payment whereof is guaranteed by Government, or in any security for the time being authorized by law for the investment of trust funds, and generally shall for the uses and purposes hereinbefore mentioned have and enjoy the same and as large, full, and ample powers and rights as if it were a private person able and capable in law.

Roads.

5. The said Synod shall, in case of land being held by it, be able, notwithstanding any trust affecting the same, to set apart a portion of such land for the purpose of making a road, or to make a free grant of a portion not exceeding one acre in extent for the purpose of a church building, cemetery, school, hospital, or any public object, freed from any trust affecting the same as aforesaid.

Bishop of any
Diocese in British
Columbia may
transfer lands, etc.,
to Synod.

6. It shall be lawful for the Bishop of any Diocese in British Columbia, whether in his corporate capacity or not, or any corporation, or any person or persons, to transfer any property, real or personal, held in trust by him or them for the aforesaid eleemosynary, ecclesiastical, or educational uses of the Church of England in Canada to the said Synod, to be held in trust for the same purposes.

7. The Constitution, Canons, and Rules of Order of The Provincial Synod of British Columbia as adopted at the first meeting of the said Synod held at Victoria, British Columbia, on the eighteenth, nineteenth, and twentieth days of February, 1914, and as amended at the second meeting of the said Synod held at Vancouver, British Columbia, on the third day of May, 1917, shall, until the same be altered or amended in accordance with such Constitution and Canons by the said Synod incorporated under this Act, be the Constitution, Canons, and Rules of Order of the said Synod incorporated under this Act.

Constitution of
Synod.

8. The said Synod may exercise all its powers by and through such boards, committees, or officers as the said Synod may from time to time appoint for the management of all or any of the affairs or property of the said Synod, but in accordance only with the trusts relating to any property to which any special trust is attached, and so that any such board or committee dealing with any such trust property shall consist of not less than three members of the said Synod.

Boards.

9. The terms "the Church of England," or "the Church of England in British Columbia," or "the Anglican Church," in this Act, and in all deeds, instruments, and documents that have been heretofore or that may hereafter be executed, dealing with real or personal property within the Province of British Columbia, shall mean, unless a different construction is gathered from the deeds, instruments, or documents, and so far as the same affect any Diocese within the Province of British Columbia or the said Synod, that portion of the Church of England in Canada within the Province of British Columbia.

Interpretation.

10. Any deed or document shall be deemed to be duly executed by the said Synod if the same has affixed thereto the seal of the said Synod, and the signatures of the Metropolitan for the time being of the Anglican Ecclesiastical Province of British Columbia or his Commissary duly appointed, and the Secretary for the time being.

Execution of deeds
and other
documents.

11. The Metropolitan for the time being of the Anglican Ecclesiastical Province of British Columbia, duly elected or acknowledged by the said Synod, or otherwise duly appointed and consecrated by lawful authority Metropolitan of the Anglican Ecclesiastical Province of British Columbia, shall be a corporation sole with perpetual succession, retaining the name of the Metropolitan of the Anglican Ecclesiastical Province of British Columbia, with full power to hold and acquire real and personal estate, and to sell, convey, lease, mortgage, deal with, or dispose of the same or any part thereof.

Metropolitan
of the Anglican
Ecclesiastical
Province of British
Columbia a
corporation sole.

Execution of
deeds and other
documents by the
Corporation of the
Metropolitan of
the Anglican
Ecclesiastical
Province of British
Columbia.

12. Any conveyance of real estate or any interest therein vested in the Corporation of the Metropolitan of the Anglican Ecclesiastical Province of British Columbia shall hereafter be deemed to be duly executed if the same has affixed thereto the seal of such Corporation, verified by the signature of the Metropolitan for the time being of the said Province, or his Commissary duly appointed, and all deeds and documents whatsoever, if executed in the same way, shall be deemed to be properly and effectually executed.

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