

CHAPTER 285

THE MORAVIAN CHURCH INCORPORATION AND VESTING ACT

Arrangement of Sections

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SCHEDULE B.

MORAVIAN CHURCH INCORPORATION AND VESTING

(30th October, 1890.) 11/1890.
7/1972.

WHEREAS in or about the year 1756, the Church of Preamble.
the United Brethren (commonly called in the British Empire
"Moravians") commenced a Mission in this Island of
Antigua, and sent out their Missionaries to preach the Gospel

of Christ amongst the people of the said Island, and have also established, and are now maintaining in the said Island, various Institutions for the training of Ministers and teachers, and for the education of children:

Acquiring of church property.

AND WHEREAS for the purposes of the said Church and their work in the said Island, divers lands and hereditaments in the said Island have been from time to time acquired by or on behalf of the said Church, and are now used or occupied by the Missionaries and Agents aforesaid as Mission or Church stations, site of Chapels, Training institutions, Schools and Ministers' Houses, or appurtenances thereto, or for other purposes in aid of the work of the said Church:

Petition to Governor referred to.

AND WHEREAS in a petition to His Excellency Sir WILLIAM FREDERICK HAYNES SMITH Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander in Chief of the Leeward Islands, Chancellor Vice Admiral Ordinary of the same by the Rev'd Henry Mathew Weiss Superintendent and the Rev'd Samuel Thaeler acting Warden of the said Moravian Mission it has been shown and set forth among other things to the effect following that is to say—

(a) That in acquiring such lands and hereditaments the deeds of conveyance have been usually taken in the names of different persons for the time being filling official positions in the said Church in trust for the said Mission;

(b) That many of such persons have since departed this life:

Inconvenience arising.

AND WHEREAS inconveniences may occur, and are likely to occur by reason of the changes of the persons officially connected with the said Church, and of the death of persons in whom the legal ownership of lands and hereditaments has been vested for the work of the said Church in the said Island, unless some remedy be applied:

Forming a Corporate Body.

AND WHEREAS with a view to such remedy it has been considered desirable in the interest of the aforesaid Church and the working thereof in the said Island of Antigua

that all the lands and hereditaments and personal property of the said Church in the said Island should be vested in a corporate body to be created with perpetual succession and a common seal, and to consist of the persons for the time holding the several offices of Superintendent of the said Moravian Mission in Antigua, Warden of the said Mission in Antigua, Secretary of the said Mission in Antigua, Secretary of the said Mission in London, Secretary of the said Mission with Antigua at Herrnhut in Saxony, Germany, with power for such corporate body to acquire and hold real and personal property for the uses of the said Church:

AND WHEREAS the several lands and hereditaments mentioned in Schedule "A" hereto, have been at different times conveyed in trust for the purposes of the said Church, or are now beneficially held, used, occupied or enjoyed for such purposes by the said Church, or the officials or members thereof:

Lands beneficially held, used and occupied for the said Church.

AND WHEREAS the several statements herein set forth as contained in the said Petition have been established to the satisfaction of the Governor and Legislative Council of the said Island of Antigua:

Several statements in Petition established.

AND WHEREAS it is desirable to vest the said lands and hereditaments in a body corporate for the purposes aforesaid, and to create such body corporate for such purposes by Legislative enactment:

Vesting of the said lands.

1. This Act may be cited as the Moravian Church Incorporation and Vesting Act.

Short title.

2. In this Act—

Interpretation.

"Antigua Conference" shall mean the local governing body of the Moravian Church;

"The Executive Board" shall mean that board of the Antigua Conference which is charged with taking such steps as may be necessary to carry on the work of the Moravian Church in Antigua and Barbuda between meetings of Conference;

"statutory declaration" means the species of written evidence now known by that name and shall extend so as to mean any affidavit and other analogous form of solemn proof in writing whether upon oath or not, which shall be legally authorised or in ordinary use for the time being;

"fully executed" when applied to the execution of any document or writing by the said Corporation means sealed with the Common seal of the said Corporation and countersigned by all five members of the Corporation each signature being attested by at least one witness;

"duly verified" when applied to the execution or signature of any document or writing means verified by the statutory declaration of a witness attesting such execution or signature;

"Provincial Elders Conference" shall mean the board to whom the control and administration of all matters which concern the Moravian Church, Eastern West Indies Province is committed between meetings of the Provincial Synod;

"Provincial Synod" shall mean the highest authority of the Moravian Church, Eastern West Indies Province, with Supreme legislative powers in all matters not committed to Unity Synod, which is the highest authority of the world wide Moravian Church (also called the Church of the United Brethren).

3. The Antigua Conference of the Moravian Church Eastern West Indies Province is hereby declared constituted and appointed one Corporation or Body Corporate to have continuance forever and perpetual succession and by that name shall and may sue and be sued, plead and be impleaded, in all Courts therein.

4. The said Corporation shall have a Common Seal, **Common Seal.** with such device and inscription to be made thereon as from time to time the holders for the time being of the said several offices shall think proper.

5. The lands and hereditaments mentioned or referred to in Schedule A, and all the estate and interest of all and every of the grantees named in the several deeds mentioned in the said Schedule, of and in the lands and hereditaments by such deeds, or any of them vested in or granted to such grantees, or any of them for any estate or interest, or mentioned so to be, and all other lands and hereditaments and personal property in the said Island of Antigua which are now legally or equitably the property of the said Church, or are held in trust for the purposes of the said Church, or are now possessed, used, occupied or enjoyed, as Church property by the said Church, or by the Official Members of the said Church, or any of them, or by any person or persons holding under such officials or members, or any of them are hereby transferred to and vested in the Antigua Conference of the Moravian Church Eastern West Indies Province and their successors, to be from henceforth held by the said Corporation upon such trusts, and to and for such ends, intents and purposes, and with under and subject to, such powers and provisions as the Executive Board, the Provincial Elders Conference, and the Provincial Synod of the said Church shall at any time, and from time to time by resolution or resolutions in writing order or direct, and whether by a general order or general orders, or by special direction or special directions in any particular case or cases, or for any particular purpose or purposes, and whether for the purpose of use or occupation, or administration or management or for the purpose of sale, mortgage (with any auxiliary powers in the mortgage, gift, exchange or other alienation) or for any other purpose whatsoever, and in default of and until such order or direction, and so far as no such order or direction shall extend, upon the trusts set forth in Schedule B. **Vesting of lands etc. Schedule A.**

Schedule B.

And it is hereby declared that unless it shall be expressed on the face of the order or direction that the same is irrevocable, any order or direction made or given by the said Executive Board may at any time and from time to time be varied, or partially or wholly revoked by the said Executive Board at their pleasure.

*Power to acquire
property —
trusts thereof.*

6. The said Corporation shall have full power to acquire by purchase, donation, exchange, devise, bequest, grant, gift or conveyance, or in any other manner, and to hold, any other lands and hereditaments, and personal property in the said Island of Antigua; as also the net proceeds to arise from any sale, mortgage, lease or alienation, of any property vested for the time being in the said Corporation shall (except as hereinafter in this section otherwise expressly provided) be held by the said Corporation upon the same trusts, and to and for the same ends, intents and purposes, and with, under and subject to the same powers and provisions, as are herein enacted of and concerning the lands, hereditaments and premises hereby vested in the said Corporation:

Provided nevertheless that in case in the deed, will or other instrument, under which any lands, hereditaments or property shall hereafter be acquired by the said Corporation any trusts, powers, declarations, or provisions shall be expressly declared or contained of and concerning the same lands and hereditaments, then the trusts, powers, declarations and provisions by this Law enacted shall be deemed and taken to be modified, altered or superseded, so far as may be necessary to give effect to the trusts, powers, declarations or provisions, so expressly declared or contained in the particular deed, will, or other instrument, but not further or otherwise.

*Evidence of
resolutions of
Executive
authority.*

7. Any resolution in writing purporting on its face to emanate from the Executive Board and to be signed by the Superintendent thereof shall be accepted in all Courts of Justice and elsewhere in Antigua and Barbuda as genuine and authentic, and as *prima facie* evidence of the official status of the person signing the same, and as *prima facie* evidence that such Resolution has been duly passed by the Board whence it purports to emanate, and that such Board was duly constituted:

Provided that this section shall apply to such writings only as are produced from the custody of the said Corporation in Antigua and Barbuda or from the custody of some person in Antigua and Barbuda well known by general repute as an official of the said Church or of the said Corporation; and further that in case of resolutions by the Executive Board this section shall apply to such writings only as are supported

by a statutory declaration (produced from such custody as aforesaid and purporting on its face to be the statutory declaration of the Secretary) to the effect that the declarant knows or verily believes such resolution or resolutions and the signature or signatures to the writing in question to be genuine and authentic.

8. In case it shall be necessary or advisable to give evidence before any Court of Justice or elsewhere in Antigua and Barbuda touching the doctrines, usages, constitution or jurisdiction of the said Moravian Church (also known as the Church of the United Brethren) (either in its entirety or in any of its provinces or Sections) or of any of the Synods, Conferences, or Executive or other Boards of the said Church (whether Supreme, Provincial, Local, Departmental or otherwise) or touching the person or persons for the time being constituting any Board or Conference or holding any office in the said Church or any of the above named bodies, and particularly in case it should at any time be necessary or advisable to give formal proof as to the Board or Body or person to which the designation of the Corporation in Antigua and Barbuda is for the time being properly applicable, a certificate in writing purporting on its face to emanate from and to be signed by the Superintendent and one other member of the Executive Board shall be *prima facie* evidence in all Courts of Justice and elsewhere in Antigua and Barbuda touching any such matter as aforesaid, and that whether any dispute or question has arisen or be depending touching the same matter or not:

Evidence as to the Moravians, their doctrines, usages, Synods, Boards, Office, etc.

Provided that this section shall apply to such certificates only as are produced from the custody of the said Corporation in Antigua and Barbuda, or from the custody of some person in Antigua and Barbuda well known by general repute there as an official of the said Church, or Member of the said Corporation and are supported by a statutory declaration (produced from such custody as aforesaid) to the effect that the declarant knows or verily believes the certificates and signatures thereto to be genuine and authentic.

9. If any mortgage or lease or conveyance on sale of any land and hereditaments for the time being vested in the

Protection of mortgagees, lessees and purchasers.

said Corporation, shall be fully executed by the said Corporation it shall not be incumbent on the said mortgagee, lessee, or purchaser to enquire into the necessity or propriety of the mortgage, lease or sale, or the purposes for, or the circumstances under which the same may be made, nor as to whether any directions, sanctions or consents have been given or whether any other antecedent steps have been taken, or whether any clause or provision in the document be beyond the powers of the said Corporation, or otherwise as to the propriety or regularity, legality or sufficiency of the mortgage, lease or sale or any clause or provision in the deed affecting the same; but every such deed of mortgage, lease and conveyance on sale, shall so far as concerns the mortgagee, lessee, or purchaser, and persons claiming under him be valid and effectual notwithstanding any irregularity or defect in the antecedent steps, directions or proceedings, or any lack of authorisation by the authorities of the said Church.

And it is further declared that every receipt embodied in any such deed of mortgage, lease or conveyance on sale as aforesaid shall effectually discharge the mortgagee, lessee or purchaser from all money paid over by him to the said Corporation or its Treasurer, and in such receipt expressed to have been received and from all responsibility touching the application of the same money.

**Protection of
members of
Corporation.**

10. No member of the said Corporation shall be in any way personally responsible for or in respect of any debt or liability which may become due, or owing from the said Corporation or to which the said Corporation may become subject upon or in respect of the lands and hereditaments for the time being vested in the said Corporation, or for any liability to which any of those premises may be subject, nor for any involuntary loss suffered by the said Corporation, or any member thereof nor for more money than shall come to his own hands, nor for any injury which may be done by others to the said lands and hereditaments or any part thereof.

**Corporation —
quorum.**

11. In case any matter or thing within the discretion of the said Corporation has to be dealt with by the said Corporation the determination of three members shall in case unanimity cannot be attained be deemed and taken to be the determination of the said Corporation.

12. Nothing herein contained shall affect or be deemed to affect the rights of Her Majesty The Queen, Her Heirs or Successors, or of any bodies politic or corporate, or other person or persons whatsoever. Reservation of rights.

SCHEDULE A

S. 5

1. "Springfield" or "Spring Gardens" situate in the City of Saint John's in the Parish of Saint John containing 3 acres, 2 roods and 32 poles as shown by a diagram thereof drawn by J. Spencer Hollings, Esq., a Licensed Surveyor and conveyed by the following Indentures—

(a) Deed William Walker and Russel his wife to Samuel Isles dated 14th March, 1761 — which Deed is endorsed as follows:

"This Deed belongs to the Moravian Society" and is recorded in the Registrar's Office of the said Island in Lib. G. Vol. 3 fol. 114.

(b) Deed Samuel Elliott and Alice his wife to the Rev'd Benjamin LaTrobe upon trust for the use of the United Brethren dated 14th May, 1779.

(c) Deed David Yetts, John Joseph Ronan and William Nathaniel Eldridge and Ruth Louisa his wife to the Rev'd Bennett Harvey upon trust for the use of the Moravian Mission dated 30th May, 1855, and recorded in Lib. B. Vol. 36 fol. 146.

(d) Deed Joseph Lever Bindon to the Rev'd George Westerby, Rev'd Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 30th May, 1855, and recorded in Lib. H. Vol. 65 fol. 131.

(e) Deed Benjamin Blake Ralph and Mary Eliza his wife to the Rev'd George Westerby, Rev'd Peter LaTrobe and Lewis Henry Spencer upon trust for the Moravian Mission dated 9th May, 1861, recorded in Lib. O. Vol. 71 fol. 119.

(f) Deed the Hon. James Byam Thibou and Robert Nicholls to Lewis Spence and William Mumford upon trust for the Moravian Mission dated 19th July, 1867, recorded in Lib. A. Vol. 1 fol. 132.

(g) Deed Rebecca Richard to Lewis Spence and William Mumford upon trust for the Moravian Mission dated 28th November, 1866, recorded in Lib. T. Vol. 76 fol. 149.

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2. "Newfield" situate in the Parish of Saint Philip containing 10 acres and 30 poles—as shown by a diagram thereof drawn by the said J. Spencer Hollings and conveyed by Indentures:

(a) Deed The Hon. Samuel Athill and The Hon. Nicholas Nugent and Richard Pigott to John Lewis Wollin upon trust for the Moravian Mission dated 24th of June, 1818, recorded in Vol. 11 fol. 148.

(b) Deed Gilbert Auchinleck and Alexander Duncombe to Bennett Harvey, Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 29th April, 1843, recorded in Lib. T. Vol. 53 fol. 23.

3. "Grace Hill" situate in the Parish of Saint Paul containing 10 acres, 1 rood and 19 poles as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Deed Elizabeth Saunders to the Rev'd Benjamin LaTrobe dated 6th April, 1782, recorded in Lib. T. Vol. 4 fol. 122.

(b) Deed Robert Smith and Sarah Bridge to the Rev'd William Mumford upon trust for the Moravian Mission dated 22nd December, 1866, recorded in Lib. Q. Vol. 73 fol. 88.

4. "Lebanon" situate in the Parish of Saint George containing 3 acres, 3 roods and 12 poles as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Augusta Maria Laviscount to William Mallalieu in trust for the Moravian Mission dated 9th February, 1837, recorded in Lib. H. Vol. 42 fol. 133.

(b) Deed Augusta Maria Laviscount to Peter LaTrobe, William Mallalieu and Bennett Harvey in trust for the Moravian Mission dated the 9th day of July, 1844, recorded in Lib. T. Vol. 53 for. 241.

(c) Deed Augusta Maria Laviscount to Peter LaTrobe, William Mallalieu and Bennett Harvey upon trust for the Moravian Mission dated 29th April, 1845, recorded in Lib. W. Vol. 55 fol. 161.

5. "Cedar Hall" in the Parish of Saint Mary containing 2 acres, 3 roods, 1½ poles as shown by a diagram drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Deed James Smith Prudden and Jane his wife and John Smith Prudden to Edward Moore upon trust for the

Moravian Mission dated 8th day of August, 1821, recorded in Vol. 17 fol. 30.

(b) Deed Hugh Thompson and John Joseph Ronan to Bennett Harvey, Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 4th July, 1843, recorded in Lib. P. Vol. 49 fol. 40.

(c) Deed Hugh Thompson and John Joseph Ronan to Bennett Harvey, Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 30th December, 1843, recorded in Lib. V. Vol. 54 fol. 50.

(d) Deed Darius Davey to George Wall Westerby, Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 24th August, 1855, recorded in Lib. X. Vol. 65 fol. 162.

(e) Deed Darius Davey to George Wall Westerby, Peter LaTrobe and Lewis Spence upon trust for the Moravian Mission dated 22nd May, 1861, recorded in Lib. O. Vol. 71 fol. 117.

6. "Cedar Villa" situate in the Parish of Saint Mary containing 14 acres, 2 roods and 37 poles as shown by a diagram drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Deed Hugh Thompson, John Joseph Ronan, Newman Knowles Mayo, Robert Mayo and Darius Davey to the Rev'd Bennett Harvey, Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 25th of September, 1846, recorded in Lib. Y. Vol. 57 fol. 235.

(b) Deed Hugh Thompson, John Joseph Ronan, Newman Knowles Mayo, Robert Mayo and Darius Davey and William Harvey Thompson to the Rev'd George Wall Westerby, Peter LaTrobe and William Mallalieu on trust for the Moravian Mission dated the 15th day of May, 1848, recorded in Lib. B. Vol. 59 fol. 124.

7. "Grace Bay" situate in the Parish of Saint Mary and Division of Old Road containing 10 acres, 1 rood and 26 poles as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indenture:

Deed Ann Byam Hill by her Attorney James Farley Salmon to Bennett Harvey upon trust for the Moravian Mission dated the 17th day of June, 1837, recorded in Lib. I. vol. 43 fol. 212.

8. "Old Road" situate in the Parish of Saint Mary in the Division of Old Road containing 1 rood and 20 poles as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Deed Alexander Coates and Elizabeth his wife to John Lewis Wollin dated 7th March, 1796, recorded in Lib. T. Vol. 5 fol. 128.

(b) Deed Andrew Tulee Quinland to John Lewis Wollin dated 28th April, 1796, recorded in Lib. Z. 5 fol. 154.

9. "Johnsons Point" situate in the Parish of Saint Mary and Division of Old Road containing 2 roods and 19 poles as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indenture:

Deed Catherine Bigsby to Peter LaTrobe, William Mallalieu and George Wall Westerby upon trust for the Moravian Mission dated 13th March, 1860, recorded in Lib. N. Vol. 70 fol. 54.

10. "Five Islands" situate in the Parish of Saint John containing one and a half acres as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indenture:

Deed Sir William Lewis George Thomas to the Rev'd Bennett Harvey, the Rev'd Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 21st June, 1838, recorded in Lib. M. Vol. 46 fol. 55.

11. "Green Bay" situate in the Parish of Saint John containing 2 acres and 29 poles with a detached piece of land containing 1,760 square feet as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Deed Langford Lovell Hodge to the Rev'd Bennett Harvey, Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 26th April, 1843, recorded in Lib. S. Vol. 52 fol. 254.

(b) Deed Langford Hodge to Bennett Harvey, Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 18th June, 1845, recorded in Lib. W. Vol. 55 fol. 186.

(c) Sarah Amelia Robinson to George Wall Westerby and Peter LaTrobe upon trust for the Moravian Mission dated 15th November, 1859, recorded in Lib. M. Vol. 69 fol. 192.

(d) Deed John Lewis Bishop and Lewis Levingston to Lewis Spence and William Mumford dated 8th May, 1866, recorded in Lib. T. Vol. 76 fol. 51.

12. "Gracefield" situate in the Parish of Saint George in the Division of Popeshead containing 5 acres and 24 poles as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Deed Grace Cable to the Rev'd Bennett Harvey, the Rev'd Peter LaTrobe and William Mallalieu upon trust for the Moravian Mission dated 23rd of June, 1841, recorded in Lib. P. Vol. 49 fol. 224.

(6) George Wall Westerby to Lewis Spence and William Mumford upon trust for the said Moravian Mission dated the 10th day of November, 1886, recorded in Lib. T. Vol. 76 fol. 144.

13. "Potters" situate in the Parish of Saint John containing 8,570 square feet as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indenture:

Deed John Hanning to Peter LaTrobe, William Mallalieu and Bennett Harvey upon trust for the Moravian Mission dated the 7th of October, 1844, recorded in Lib. V. Vol. 54 fol. 180.

14. "Pigotts Saint Marks" situate in the Parish of Saint George Village of Saint Marks Division of New North Sound and containing 1,399 square feet as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indenture:

Deed James Law to Peter LaTrobe, William Mallalieu and George Wall Westerby dated 7th October, 1857, recorded in Lib. K. Vol. 67 fol. 2.

15. "Pigotts" situate in the Parish of Saint George containing 41,816 square feet as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Deed James Law to Peter LaTrobe, William Mallalieu and Bennett Harvey upon trust for the Moravian Mission dated 21st April, 1845, recorded in Lib. W. Vol. 55 fol. 154.

(6) Deed Judith A. Ward to the Rev'd Frederick Niebert upon trust for the Moravian Mission dated 10th August, 1890, recorded in Lib. J. Vol. 92 fol. 27.

16. "Sweets" situate in the Parish of Saint Paul containing half an acre as shown by a diagram thereof drawn by J. Spencer Hollings and conveyed by Indentures:

(a) Deed James Betts to Peter LaTrobe, William Mallalieu and George Wall Westerby dated 16th December, 1858, recorded in Lib. L. Vol. 68 fol. 127.

(b) Deed John Henry Byam to the Rev'd William Batt and the Rev'd Bishop Westerby dated 30th of August, 1881, recorded in Lib. D. Vol. 86 fol. 120.

SCHEDULE B

S. 5

Containing the Provisional Trusts referred to in section 5

And as to for and concerning the said respective lands and hereditaments Upon trust to permit and suffer all and every such Chapels or places of religious worship, theological, or educational training institutions, schools, vestries, dwelling houses, offices, outrooms, and other buildings and conveniences to be erected or built upon the said lands and hereditaments, or being built or erected to be enlarged, improved, altered, repaired, removed or pulled down, as and whenever the said corporation in Antigua and Barbuda from time to time or at any time shall with the general or special sanction or approval of the Executive Board, direct or sanction:

And also to permit and suffer each and every Chapel or place of religious worship for the time being upon such lands and hereditaments to be used, occupied and enjoyed, solely as a place for the religious worship and service of God, and the preaching of the Gospel, and expounding and teaching of the Holy Scriptures, according to the doctrines and usages professed and observed by the said Moravian Church also known as the Church of the United Brethren:

And to permit and suffer each theological institution for the time being on the said lands to be used, occupied and enjoyed, only as an institution for the training of persons for the Christian Ministry of the said Church, and in accordance with its doctrines and usages, and for such other religious and educational purposes only and by such Superintendent, Ministers and other persons only, as the said Corporation from time to time or at anytime shall, with the general or special sanction or approval of the Executive Board, direct or sanction:

And also to permit and suffer to officiate in each Chapel or place of religious worship on the said lands and to have the conduct, direction and management of the services, worship and teaching therein, such Minister or Ministers only in connection

with the said Church as shall be thereto for the time being appointed by the Executive Board, or pending reference to them temporarily appointed and acting, or such person as shall or may from time to time be thereunto on any special occasions requested by such Minister so appointed as aforesaid:

And also to permit and suffer every theological or educational or training institution, and every School on the said lands to be superintended, conducted and carried on, only by such Minister or Ministers of the said Church, or other person or persons as the Executive Board shall from time to time appoint, or pending reference to them shall be temporarily appointed sanctioned or approved therefor:

And also to permit and suffer such dwelling houses on the said lands and hereditaments as shall or may at any time be assigned as a residence for the Minister in charge of or connected with any Chapel or Mission Station of the said Church, and the out Offices and appurtenances thereto including so much land as shall be attached thereto as incident to such residence to be used and occupied, possessed and enjoyed as a residence, for himself and family, by the Minister appointed as aforesaid to be for the time being in charge of or connected with such Chapel:

And also to permit and suffer such parts of the said lands and hereditaments (if any) as may be set apart as a burial ground to be used as such by the Minister and members of the said Church:

And also generally to permit and suffer the Minister for the time being Superintending or in charge of the Station or work to which the said lands and hereditaments are attached or assigned to have the general local charge, direction and superintendence thereof, subject to the directions and control of the said Executive Board and in subordination thereto, subject to the directions and control of the said Corporation:

And generally upon trust to permit and suffer the lands and hereditaments, and the erections and buildings for the time being thereon and their appurtenances, to be used and occupied for such purposes connected with the work of the said Moravian Church also known as the Church of the United Brethren, and in such manner and by such person or persons as the said Corporation from time to time or at any time shall with the general or special sanction or approval of the Executive Board direct or sanction:

Provided nevertheless that the Minister or person now actually in charge of any Chapel on the said lands or any of them, as the Minister thereof and every person now actually in charge of such lands, or any of them or any part thereof or any institution, School or residence, on any such lands, for and on behalf of the said Church, shall be deemed to be so in charge by the appointment of the Executive Board — but that whenever the Executive Board,

shall by any resolution or other official act, declare any now or existing or future appointments of any minister or person in respect of the said lands, or any part thereof, or of any chapel, theological, educational, or training institution or school thereon, to be at an end, such minister or person shall thereupon absolutely cease to be entitled to the privileges or benefits of the trusts aforesaid in respect of the lands, chapel, institution or school, whereof his appointment shall be so determined.
