

Act No. 38 of 1936**SALVATION ARMY**

An Act to create the General of the Salvation Army for the time being a corporation sole and to vest the property of The Salvation Army in such corporation. *38 of 1936*

*[Assent 30th December, 1936]
[Commencement 13th May, 1937]*

WHEREAS by a deed poll dated the seventh day of August One thousand Eight hundred and Seventy-eight and under the hand and seal of William Booth (the founder and general superintendent of a religious society or organization known as “The Christian Mission”) and afterwards enrolled in the Chancery Division of the High Court of Justice in England the origin, name and doctrines of the said Christian Mission were recited and stated:

AND WHEREAS it was by the said deed poll amongst other things provided —

(Clause 3) that the said Christian Mission was and should be always thereafter under the oversight direction and control of some one person who should be the general superintendent thereof whose duty it should be to determine and enforce the discipline and laws and superintend the operations of the said Christian Mission and to conserve the same to and for the objects and purposes for which it was first originated and that the said general superintendent should have the powers therein mentioned;

(Clause 4) that the said William Booth should continue to be for the term of his natural life the general superintendent of the Christian Mission unless he should resign such office;

(Clause 5) that the said William Booth and every general superintendent who should succeed him should have power to appoint his successor to the office of general superintendent and all the rights of powers and authorities of the office should vest in the person so appointed upon the

decease of the said William Booth or other general superintendent appointing him or at such other period as might be named in the document appointing him; and

(Clause 6) that it should be the duty of every general superintendent to make in writing as soon as conveniently might be after his appointment a statement as to his successor or as to the means which were to be taken for the appointment of a successor at the decease of the general superintendent or upon his ceasing to perform the duties of the office such statement to be signed by the general superintendent and delivered in a sealed envelope to the solicitor for the time being of the Christian Mission but such statement might be altered at will by the general superintendent at any time during his continuance in office upon a new statement being signed by him and delivered as before-mentioned to such solicitor as aforesaid:

and WHEREAS at some time before the Twenty-fourth day of June One thousand Eight hundred and Eighty the name of the said religious society or organization was changed from “the Christian Mission” to “the Salvation Army” as appears by a memorandum of that date under the hand of the said William Booth endorsed on the said recited deed poll and afterwards enrolled in the Central Office of the Supreme Court of Judicature in England:

and WHEREAS the said religious society or organization has since been and is now known as The Salvation Army and the general superintendent thereof has since been and is now known as The General of The Salvation Army:

and WHEREAS after the year One thousand Eight hundred and Seventy-eight the Salvation Army greatly extended its operations and by the year One thousand Nine hundred and Four it was established and operating and property necessary for the conduct of its work had been and was being acquired in many parts of the world both within and without the British Empire and it had become organized in such a way that its operations were directed largely through the agency of principal officers

known respectively as “chief of the staff” and “commissioner” appointed by and responsible to and holding office at the discretion of the general and with powers and duties assigned by him:

and WHEREAS in order to minimize the possibility of doubt dispute or litigation it was considered desirable to provide more fully and specifically than was done by the deed of constitution for the events in which the general for the time being should be deemed to have ceased to perform the duties of his office and also for the nomination and appointment of a successor to the general for the time being on his dying or ceasing to perform the duties of the office:

and WHEREAS with a view to achieving the objects aforesaid by another deed poll dated the twenty-sixth day of July One thousand Nine hundred and Four under the hand and seal of the said William Booth and afterwards enrolled in the Central Office of the Supreme Court of Judicature the provisions of the deed of constitution were supplemented by provisions dealing with matters and contingencies not taken account of in the deed of constitution:

and WHEREAS by another deed poll dated the twenty-first day of November One thousand Nine hundred and Thirty under the hand and seal of Edward John Higgins and afterwards enrolled in the Central Office of the Supreme Court of Judicature the provisions of the supplemental deed of constitution were (pursuant to a power in that behalf reserved thereby) added to and varied:

and WHEREAS Evangelise Booth is the present General of The Salvation Army:

1. This Act may be cited as the Salvation Army Act. Short title.
2. The General of The Salvation Army for the time being shall be deemed a corporation sole and shall be known and described as “The General of The Salvation Army.” General of Salvation Army to be a Corporation Sole.
3. (1) The General of the Salvation Army shall have full power to acquire by purchase, transfer, donation, exchange, devise, bequest, grant, gift, conveyance or otherwise any real or personal property or any estate or interest therein. Power of General of Salvation Army to acquire property.

(2) All real or personal property acquired under subsection (1) of this section shall be held for the use and benefit of the Salvation Army.

General of Salvation Army entitled to deal with property.

4. The General of The Salvation Army shall subject to any restraint, reservation or condition contained in the document under which he shall have acquired title thereto be entitled to sell, mortgage, lease and otherwise dispose of and deal with all property which may for the time being be vested in or have been acquired by him under any of the provisions of this Act.

Change of person holding office of General of Salvation Army not to effect property and interest.

5. No change of the person holding the office of General of the Salvation Army shall affect any real or personal property or any interest therein vested in the General of the Salvation Army but such property and estate and interest therein shall vest in the succeeding General of the Salvation Army in the same way and to the same extent that they vested in the former General of the Salvation Army.

Power of General of Salvation Army to appoint Attorney.

6. The General of the Salvation Army shall have power to appoint an attorney for such time and purposes and with such powers as may be stated in the power of attorney.

Present General of Salvation Army.

7. The said Evangeline Booth shall be deemed to be the present General of the Salvation Army.

Who to be deemed General of Salvation Army.

8. Upon the recording in the Registry of Records of The Bahamas of copies certified by the proper Officer, or sealed by the proper Department of His Majesty's High Court of Justice in England of documents purporting to be the appointment of and acceptance of office by a General of the Salvation Army the person named in such appointment and acceptance shall be deemed to be the General of the Salvation Army until the recording and lodging of similar certified copied of a new appointment and acceptance.

Rights of the King and others reserved.

9. Nothing in this Act shall prejudice or affect the rights of His Majesty the King, His Heirs and Successors or of any body politic or corporate or of any other person or persons except such as are mentioned in this Act and those claiming by, from, through or under them.