

CHAPTER 174

TRUSTEES APPOINTMENT (1850)

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Property conveyed for Religious or Educational Purposes to vest in Successors without Conveyance.
3. Appointment of new Trustees to be made to appear by Deed.

SCHEDULE.

CHAPTER 174

TRUSTEES APPOINTMENT (1850)

¹An Act to render more simple and effectual the titles by which congregations or societies for purposes of religious worship or education hold property for such purposes.

*13 & 14 Vict. c.
28
extended by 14 of
1903*

[Commencement 15th July, 1850]

1. [This Act may be cited as the Trustees Appointment (1850) Act.]

Short title.

2. Wherever Freehold or Leasehold Property has been or hereafter shall be acquired by any Congregation or Society or Body of Persons associated for Religious Purposes or for the Promotion of Education, as a Chapel, Meeting House, or other Place of Religious Worship, or as a Dwelling House for the Minister of such Congregation, with Offices, Garden, and Glebe, or Land in the Nature of Glebe, for his Use, or as a Schoolhouse, with Schoolmaster's House, Garden, and Playground, or as a College, Academy, or Seminary, with or without Grounds for Air, Exercise, or Recreation, or as a Hall or Rooms for the Meeting or Transaction of the Business of such Congregation or Society or Body of Persons, and wherever the Conveyance, Assignment, or other Assurance of such Property has been or may be taken to or in favour of a Trustee or Trustees to be from Time to Time appointed, or of any Party or Parties named in such Conveyance, Assignment, or other Assurance, or subject to any Trust for the Congregation or Society or Body of Persons, or of the Individuals composing the same, such Conveyance, Assignment, or other Assurance shall not only vest the Freehold or Leasehold Property thereby conveyed or otherwise assured in the Party or Parties named therein, but shall also effectually vest such Freehold or Leasehold Property in their Successors in Office for the Time being and the old continuing Trustees, if any, jointly, or if there be not old continuing Trustees, then in such Successors for the Time being wholly, chosen and appointed in the

Property conveyed for Religious or Educational Purposes to vest in Successors without Conveyance.

¹ Note: See Ch. 72.

Manner provided or referred to in or by such Conveyance, Assignment, or other Assurance, or in any separate Deed or Instrument declaring the Trust thereof, or if no Mode of Appointment be therein set forth, prescribed, or referred to, or if the Power of Appointment be lapsed, then in such Manner as shall be agreed upon by such Congregation or Society or Body of Persons upon such and the like Trusts and with, under, and subject to the same Powers and Provisions, as are contained or referred to in such Conveyance, Assignment, or other Assurance, or in any such separate Deed or Instrument, or upon which such Property is held, and that without any Transfer, Assignment, Conveyance, or other Assurance whatsoever, anything in such Conveyance, Assignment, or other Assurance, or in any such separate Deed or Instrument, contained to the contrary notwithstanding:

Provided always, that in case of any Appointment of a new Trustee or Trustees of or the Conveyance of the legal Estate in any such Property being made as heretofore was by Law required, the same shall be as valid and effectual to all Intents and Purposes as if this Act had not been passed.

3. For the Purpose of preserving Evidence of every such Choice and Appointment of a new Trustee or new Trustees, and of the Person and Persons in whom such Charitable Estates and Property shall so from Time to Time become legally vested, every such Choice and Appointment of a new Trustee or new Trustees shall be made to appear by some Deed under the Hand and Seal of the Chairman for the Time being of the Meeting at which such Choice and Appointment shall be made, and shall be executed in the Presence of such Meeting, and attested by Two or more credible Witnesses, which Deed may be in the Form or to the like Effect of the Schedule to this Act annexed, or as near thereto as Circumstances will allow, and may be given and shall be received as Evidence in all Courts and Proceedings in the same Manner and on the like Proof as Deeds under Seal, and shall be Evidence of the Truth of the several Matters and Things therein contained.

Appointment of
new Trustees to
be made to
appear by Deed.

Schedule.

SCHEDULE TO WHICH THIS ACT REFERS
(Section 3)

MEMORANDUM Of the Choice and Appointment of new Trustees of the [describe the Chapel, School, or other Buildings and Property] situate in the Parish [or Township] of in the County [Riding, Division, City, or Place] of at a Meeting duly convened and held for that Purpose [in the Vestry of the said Chapel] on the [25th] day of [April 1850], A.B. of Chairman. Names and Description of all the Trustees on the Constitution or last Appointment of Trustees made the day of

- Adam Bell of*
- Charles Dixon of*.....
- Edward Foster of*
- George Hurst of*.....
- John Jackson of*
- Kenneth Lucas of*
- Matthew Norman of*
- Octavius Parker of*

Names and Descriptions of all the Trustees in whom the said [Chapel] and Premises now becomes legally vested.

- First —
- Old continuing Trustees:
- John Jackson, now of*
- Matthew Norman, now of*
- Octavius Parker, now of*
- Second —
- New Trustees now chosen and appointed:*
- Benjamin Adams of*
- Charles Bell of*
- Jonathan Edmonds of*
- Richard Baxter of*
- John Home of*

Dated this day of

.....
Godfrey Higgs, (L.S.)
Chairman of the said Meeting.

Signed, sealed, and delivered by the said Godfrey Higgs, as Chairman of the said Meeting, at and in the Presence of the said Meeting, on the Day and Year aforesaid, in the Presence of
..... C.D.
..... E.F.

[The Blanks and Parts in Italics, to be filled up as the Case may be.]