

**Act No. 26 of 1957****CHURCH OF ENGLAND (LANDS)**

**An Act to vest certain lands in the incorporated Trustees of the Church of England in The Bahamas and to remove doubts as to the powers of their predecessors to acquire, hold and dispose of lands.** *26 of 1975*

*[Commencement 15th July, 1957]*

WHEREAS by Letters Patent dated the Twenty-fourth day of July, 1824 His late Majesty King George IV did erect, found, ordain, make and constitute the Island of Jamaica, the Bahama Islands and the Settlements in the Bay of Honduras and their respective dependencies to be a Bishop's See to be called from thenceforth "the Bishopric of Jamaica":

and WHEREAS by Letters Patent dated the fourth day of November, 1862 Her late Majesty Queen Victoria constituted and erected the Church of Christ Church to be a Cathedral Church and Bishop's See and ordained that the whole Town of Nassau should thenceforth be a City and be called "the City of Nassau" and did make, ordain, establish and constitute the said City and the Bahamas or Bahama Islands with their dependencies and also Turk's Island and the Caicos Island to be a separate and distinct diocese to be thenceforth called "the Diocese of Nassau" and did ordain and declare that the said Cathedral Church of Christ Church should be the Cathedral Church and Episcopal See and that the said Diocese of Nassau should be the Diocese of the Bishop of Nassau by those Letters Patent nominated and appointed and of his successors:

and WHEREAS the said Letters Patent dated the Fourth day of November, 1862 constituted the Bishop of Nassau a Body Corporate with perpetual succession called and known by the name or title of "the Lord Bishop of Nassau" with power to purchase and hold lands:

and WHEREAS by an Act of the Legislature of the Thirty-second year of the reign of Her late Majesty Queen Victoria, chapter Twenty-seven, entitled "The Disestablishment Act 1869" it was provided that the Bishop of the Diocese of Nassau for the time being, the incumbent of

Christ Church, Saint Matthew and Saint John, for the time being, together with five laymen, being members of the United Church of England and Ireland, should be a Board of Commissioners, under the style of “The Commissioners of the Church of England in the Bahamas” and that the legal estate in all churches and chapels in the Bahama Islands dedicated or held to the use of the said United Church of England and Ireland should vest in the Commissioners:

and WHEREAS by an Act of the Legislature of the Thirty-eighth year of the reign of Her late Majesty Queen Victoria, chapter Thirty-two, entitled the Church of England Synods Act, 1875, the Bishop, clergy and laity of the Church of England were authorised to hold assemblies or synods in the Colony and, in accordance with the provisions of the said Act, to nominate persons to act as a corporation with continuance for ever under the style of “the Incorporated Trustees of the Church of England in the Bahamas” with full power to have and use a common seal and as trustees for the Church of England to receive, take, hold or otherwise dispose of all descriptions of property both real and personal:

and WHEREAS Trustees were duly appointed in accordance with the provisions of the said Act and their successors continue under the said style:

and WHEREAS certain doubts have arisen as to the vesting in the Trustees of the title to lands in the Colony formerly held, or purporting to be held, by their above-recited predecessors, that is to say, the Bishop of Jamaica, the Lord Bishop of Nassau and the Commissioners of the Church of England in the Bahamas, and as to the powers of their said predecessors to acquire and dispose of lands in the Colony.

Short title

**1.** This Act may be cited as the Church of England (Lands) Act.

Interpretation

**2.** In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:

“relevant time” means the time when the trustees or the trustees’ predecessors acquired, held, disposed of, or otherwise dealt with land in The Bahamas;

“the trustees” means the Incorporated Trustees of the Church of England in the Bahamas;

“the trustees’ predecessors” means the Bishop of Jamaica, the Lord Bishop of Nassau, or the Commissioners of the Church of England in the Bahamas, as the case may be.

3. For the avoidance of doubt it is hereby declared that the trustees’ predecessors shall be deemed to have had at all relevant times power to acquire, hold and dispose of land in The Bahamas.

Powers of trustees’ predecessors.

4. The lot of land described in the Schedule hereto shall be deemed to have been vested in the trustees for an estate in fee simple.

Vesting of land in Schedule in trustees.

5. (1) Any other lands in The Bahamas held or acquired by the trustees’ predecessors, and not disposed of by them shall be deemed to have been vested in the trustees.

Vesting of other land in trustees.

(2) The lands so vested shall be held by the trustees, and shall be deemed to have been held at all relevant times, for the same estate or interest, and subject to the same rights, liabilities, obligations and incumbrances, as would pertain or attach thereto if this Act had been in force at all relevant times, and any disposition or other dealing with the land by the trustees or by the trustees’ predecessors shall take effect accordingly.

6. Nothing in this Act shall prejudice or affect the rights of the Queen, Her Heirs and Successors or of any other person or persons except such as are mentioned in this Act and those claiming by, from, through or under them.

Rights of the Queen and others preserved.

#### **THE SCHEDULE HEREIN BEFORE REFERRED TO.**

ALL That piece parcel or lot of land situated in the City of Nassau in the Island of New Providence one of the Bahama Islands and bounded on the North by the property of D. C. Anderson on the East by Cumberland Street on the South partly by land the property of Paula Meeres and partly by land the property of Isaac Newton and on the West by land the property of the Public Board of Works for New Providence.