

THE TRUSTEES' (RELIGIOUS, EDUCATIONAL
AND CHARITABLE) VESTING ACT Cap. 396.

[1853.]

1. This Act may be cited as the Trustees' (Religious, Educational and Charitable) Vesting Act. Short title.

2. Wherever freehold, leasehold, or other landed property has been or hereafter shall be acquired by any congregation or society of persons associated for religious purposes, or for the promotion of education, or for any eleemosynary or charitable purpose, as a chapel, meeting-house, or other place of religious worship, or as a burial-ground or cemetery, or as an hospital, poor-house, asylum, or other institution for an eleemosynary or charitable purpose, or as a dwelling-house and glebe for the minister of such congregation, or as a school-house and school-master's house and grounds, or as a college, academy or seminary and grounds, or as a hall or rooms for the meeting or transaction of the business of such congregation or society, or for the furtherance of its objects; and whenever 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 of the individuals composing the same such conveyance, assignment, or other assurance shall not only vest the freehold, leasehold, or other property thereby conveyed or otherwise assured in the party or parties therein named, but shall also effectually vest such freehold, leasehold, or other property in their successors in office for the time being, and the old continuing trustees, if any, jointly, or if there be no old continuing trustees,

Property conveyed for religious, etc., purposes, to vest in Trustees and their successors.

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then wholly in such successors for the time being, who may be chosen and appointed in the manner provided or referred to in or by such conveyance, assignment, or other assurance, or in any separate deed or instrument declaring the trusts thereof; or if no mode of appointment be therein 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, upon such or 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 the necessity of any transfer, assignment, conveyance, or other assurance whatsoever, and whether such formality shall or shall not have been prescribed in the original conveyance, assignment, or other assurance, or in any such separate deed or instrument as aforesaid:

Provided, that the provisions of this Act shall not invalidate the appointment of a new trustee or trustees, or the conveyance of the legal estate in any such property which may hereafter be made, as heretofore was by law required.

Provision as
to appoint-
ment of new
trustees.

3. For the purpose of preserving evidence thereof, 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 witnesses, and in the form, or to the effect, set out in the Schedule, or as near thereto as the circumstances will allow; and the same shall be received as evidence in all Courts and proceedings, in the same manner, and on the like proof, as other deeds and conveyances, and shall be evidence of

Schedule.

the truth of the several matters and things therein contained; and the same may be proved and recorded in like manner as other deeds; and such record shall enjoy all the privileges by law attached to the record of deeds of conveyance.

Appoint-
ments to be
recorded.

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SCHEDULE

Form of Appointment of New Trustees

Memorandum of the choice and appointment of new trustees of the (describe the chapel or other property) situated at _____ in the parish of _____ in the county of _____ at a meeting duly convened and held for that purpose (in the vestry of the said chapel) on the _____ day of _____ 19 _____.

A. B. of etc., Chairman.

Names and descriptions of all the trustees on the (original constitution or last appointment) of Trustees made on the _____ day of _____ 19 _____.

A. B., of etc.
C. D., of etc.
E. F., of etc.
G. H., of etc.

Names and descriptions of all the trustees in whom the said (chapel) and premises now become legally vested.

First—Old Continuing Trustees

E. F. now of etc.

Second—New Trustees now chosen and appointed

B. A., of etc.
B. B., of etc.

Dated this _____ day of _____ A.D., 19 _____
W.S. (Seal.)

Signed, sealed, and delivered by the said W.S., 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.