No. 22-2002

I assent,

[L.S.]

H. F. COOKE, Governor-General.

29th day of July, 2002.

AN ACT for the Incorporation of the Wesleyan Holiness Church and the Vesting of certain Property in the Body so Incorporated.

WHEREAS on the 18th day of November in the year one thousand nine hundred and forty-four a Law entitled The Pilgrim Holiness Church (Incorporation and Vesting) Law, Law 57 of 1944 was enacted by the Governor and the Legislative Council of Jamaica, creating the Pilgrim Holiness Church, a body corporate with perpetual succession, which Church carried its ministry throughout the Caribbean;

AND WHEREAS on the 23rd day of November in the year one thousand nine hundred and forty-nine a Law entitled the Missionary

Bands of the World (Incorporation and Vesting) Law, 1949, Law 71 of 1949 was enacted by the Governor and the Legislative Council and House of Representatives of Jamaica, creating the Missionary Bands of the World, a body corporate with perpetual succession, which Church conducted its ministry in Jamaica;

AND WHEREAS on October 10th, 1968 the Wesleyan Church became recognized by the United States Federal Government as a lawful religious Association and extended its religious work throughout the United States of America and other countries in the world;

AND WHEREAS the Missionary Bands of the World Church adopted the discipline of the Wesleyan Church;

AND WHEREAS on or about the 26th day of June in the year 1968 The Pilgrim Holiness Church and the Missionary Bands of the World Corporations joined in fellowship to follow The Discipline of the Wesleyan Church and together became known as The Wesleyan Holiness Church which latter named religious body is divided into three Districts—the Eastern District, the Western District and the Northern District;

AND WHEREAS it is the intention of the Pilgrim Holiness Church, the Missionary Bands of the World Church, the Eastern, Western and Northern Districts of the Wesleyan Holiness Church to unite and formally adopt The Discipline of the Wesleyan Holiness Church save and except where its doctrines are inconsistent with the Law of Jamaica;

AND WHEREAS for the purpose of the Pilgrim Holiness Church, the Missionary Bands of the World and the Eastern, Western and Northern Districts of the Wesleyan Holiness Church established in Jamaica and in furtherance of the religious work carried out in Jamaica by them, certain real estate and personal property has from time to time been acquired by them;

The Wesleyan Holiness Church (Incorporation and Vesting) [No. 22] Act, 2002

AND WHEREAS in acquiring the aforesaid real estate, the title deeds, contracts of purchase for the same and other documents or title therefor were taken in the names of The Pilgrim Holiness Church, the Missionary Bands of the World Church and the Eastern, Western and Northern Districts of the Wesleyan Holiness Church and in the name or names of members thereof and it is now desired that all the said real estate and personal property aforementioned should be conveyed, transferred and delivered to The Wesleyan Holiness Church for the charitable and educational purposes and for the general furtherance of the religious work in Jamaica carried out by it and by the three Districts of which it is comprised;

AND WHEREAS it is desirable and expedient that there should be a corporate body in which may be vested all the real and personal property presently vested in, used and occupied by The Pilgrim Holiness Church, the Missionary Bands of the World Church and the Eastern, Western and Northern Districts of the Wesleyan Holiness Church:

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30th day of July, 2002

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BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Wesleyan Holiness Church short title. (Incorporation and Vesting) Act, 2002.

2.	In this	Act u	unless	the	context	otherwise	requires—	Interpretation.
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"the Church" means collectively the several churches and persons for the time being associated in Jamaica under the names of the Eastern, Western and Northern Districts of The Wesleyan Holiness Church; and

"the Corporation" means the Body incorporated by this Act.

3.—(1) The Wesleyan Holiness Church shall consist of a body Incorporation. of nine persons to be known as the Wesleyan Holiness Church Committee; and such Committee is hereby declared constituted and appointed a corporation or body corporate to have continuance forever and perpetual succession by the name of "The Wesleyan Holiness Church" and possessed of a corporate seal and by that name may sue and be sued in all Courts of this Island.

(2) Each District of the Church shall be entitled to appoint two persons from amongst the members of their respective Districts to the Committee and the remaining three persons shall be Assistant Superintendent for the time being of each District; and such persons shall officially represent their respective Districts.

(3) The members of the Committee shall appoint from amongst themselves a chairman, three District Superintendents (one for each District of the Church), a secretary and a treasurer.

(4) Until the first appointments are made to the posts referred to in subsection (3), the following persons shall hold the office indicated next to their respective names—

- (a) Henry Ewan-Chairman
- (b) Henry Ewan, Willy Holness and Bernard Scarlett— District Superintendents
- (c) Velma King-Secretary
- (d) Kingsley Lawrence-Treasurer;
- (e) Reverend Dalton Grenynan, Reverend Orrett Field, Reverend Dr. Lloyd Quarrie and Michael Whyte—Members of the Committee

(5) No act or proceeding of the Corporation shall be invalidated by reason of any vacancy in the Body or in any of the offices referred to in subsections (2) and (4) of this section respectively or by a defect in the appointment of any such person to any such body or office.

The seal and Constitution of the Corporation. 4.—(1) The seal of the Corporation shall be of such design and pattern as the Corporation may from time to time determine.

(2) The Constitution set out in The Discipline of the Wesleyan Church 1972 handbook shall have effect as the constitution of the Corporation.

The Wesleyan Holiness Church (Incorporation and Vesting) [No. 22] Act. 2002

(3) The Constitution of the Corporation may be amended in the manner provided in the aforementioned handbook.

(4) Upon the recording in the Island Record Office or lodging in the Office of Titles of a certificate under the seal of the Corporation representing the appointment of any person to any office mentioned in section 3 (3) the persons named in such certificate shall be deemed to be holders of the offices named therein until the recording or lodging of a certificate of the appointment of another person to such office.

(5) Unless its by-laws shall otherwise provide, no deed or document purported to be executed by the Corporation shall be of any force or validity unless it be sealed with the seal of the Corporation and signed by no less than three members of the Board among whom shall be the Chairman, Secretary and a Member.

(6) In the case of any other religious entity or congregation desiring to unite with the Corporation and to adopt its tenets, doctrines, beliefs and forms of worship and to submit to its jurisdiction, the Corporation may accept the transfer of the property of such other religious entity or congregation to be held subject to the trusts affecting the property vested in the Corporation, and such transfer shall be made by the trustee of such property under the resolution of such other religious entity or congregation directing such transfer duly passed at a meeting of such other religious entity or congregation by the like majorities and in like manner as would authorize a sale of the same lands, or otherwise duly passed in accordance with the rules or practices of such other religious entity or congregation.

5.--(1) All lands and hereditaments in Jamaica now or hereafter vesting of mentioned and referred to in the Schedule and all other lands now Property. held in trust for or held by or vested in the several persons mentioned in the Schedule either as proprietors or as trustees, whether expressly or impliedly, for the benefit of the Pilgrim Holiness Church, the Missionary Bands of the World Church, and the Eastern, Western and Northern Districts of the Wesleyan Holiness Church, and which are now legally or equitably the

[No. 22] The Wesleyan Holiness Church (Incorporation and Vesting) Act, 2002

property of the Wesleyan Holiness Church or are now held in trust for the purposes of the Church, are hereby transferred and conveyed to and vested in the Corporation for the same estate and interest to which the same were respectively held by or vested in, the said persons mentioned in the Schedule, at the time of the passing of this Act, subject to all mortgages, charges or encumbrances, if any, affecting the same or any part thereof.

(2) Any property, whether real or personal, in the Island of Jamaica, devised or bequeathed by will, or otherwise given to or acquired by the Church, or given to or acquired by any bodies mentioned in subsection (1), or given to or acquired by any persons for the benefit of the Church, shall be held by and is hereby vested in and shall be deemed to be the property of, the Corporation.

Powers of Corporation. 6. The Corporation shall have the power to:

- (a) acquire, hold, purchase, receive, lease, possess and enjoy any lands or hereditaments whatsoever in fee simple, for leasehold or for any other estate or interest therein and all other property real, personal or mixed;
- (b) give, grant, let, charge, improve, manage, develop, exchange, lease, mortgage, sell, convey, assign, dispose of, turn to account, or otherwise deal with all or any of the property both present and future so held or vested or any part thereof;
- (c) borrow or raise or secure the payment of money in such manner as may be thought fit, and in particular by issue of debenture or script charged upon all or any of the property (both present and future) held by or vested in the Corporation and to redeem and pay off such securities;
- (d) appoint such persons or person as the Attorneys or Attorney of the Corporation either generally or for a limited period and for such purposes and with such powers as may be stated in the Power of Attorney and to revoke any such appointment;

- (e) build, operate and maintain places of worship and such other building and facilities as may be necessary or convenient for the purposes of the Church; and
- (f) make such rules and by-laws as they shall think fit in order to carry out the purpose of this Act.

7. The provisions of The Pilgrim Holiness Church Incorporation Application of Act, 1944 and the Missionary Bands of the World (Incorporation Law. and Vesting) Law, 1949 shall not apply to or in any way affect the operation of the Corporation hereby created.

8. Nothing in this Act shall prejudice or affect the rights of Her Saving of Majesty the Queen, Her Heirs and Successors, the Government of Prerogative. Jamaica or of any body, politic or corporate or of any other persons except such as are mentioned in this Act and those claiming by, from, through or under them.

9. If upon the dissolution of the Church there remains after the Procedure satisfaction of all its debts and liabilities any property whatsoever, dissolution of the same shall not be paid to or distributed among the members of Corporation. the Church but shall be given or transferred to some other religious denomination or denominations having disciplines similar to the disciplines of the Church and shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Church such religious denomination or denominations to be determined by the members of the Church at or before the time of dissolution or in default thereof by such Judge of the Supreme Court as may have or acquire iurisdiction in the matter and if and so far as effect cannot be given to this provision then to a charitable object.

SCHEDULE

Names of Persons in whom Title now vested

Nature of Title

All those parcels of land parts of Fairfield in the parish of St. James together containing by survey two roods seventeen perches and nine-tenths of a perch.

Description of Premises

All that parcel of land part of Fairfield in the parish of St. James together containing by survey seven thousand one hundred and ninety-five square feet.

All those parcels of land parts of Fairfield in the parish of St. James together containing by survey one acre one rood one perch and five-tenths of a perch.

All that parcel of land part of Number thirteen Barracks Road, Montego Bay in the parish of St. James containing by survey five thousand five hundred and seventy-five square feet.

All that triangular parcel of land known as Number Two Agate Lane situate at Montego Bay in the parish of St. James.

All that parcel of land part of Lances Bay in the parish of Hanover. Pilgrim Holiness Church a body incorporated by Laws 57 of 1944 and 10 of 1949 whose office is at Montego Bay in the parish of St. James.

Pilgrim Holiness Church a body incorporated by laws 57 of 1944 and 10 of 1949 whose office is at Montego Bay in the parish of St. James.

Pilgrim Holiness Church a body incorporated by laws 57 of 1944 and 10 of 1949 whose office is at Montego Bay in the parish of St. James.

Pilgrim Holiness Church with Head Office at No. 16 Mannings Hill Road in the parish of St. Andrew.

Pilgrim Holiness Church with Head Office at No. 16 Mannings Hill Road in the parish of St. Andrew.

Missionary Bands of the World a Society incorporated under Law 71 of 1949 with Headquarters at Torrington, Savanna-la-Mar in the parish of Westmoreland. Folio 999.

registered at Volume 1206

Certificate of Title

Certificate of Title registered at Volume 1207 Folio 1.

Certificate of Title registered at Volume 1207 Folio 2.

Certificate of Title registered at Volume 1044 Folio 344.

Certificate of Title registered at Volume 689 Folio 84.

Certificate of Title registered at Volume 1033 Folio 612.

Description of Premises	Names of Persons in whom Title now vested	Nature of Title
All that parcel of land part of Southfield also known as Myfield in the parish of St. Elizabeth.	Missionary Bands of the World at Post Office Box 17, Savanna-la-Mar, Westmoreland.	registered at Volume 1137
All that parcel of land part of Barham in the parish of Westmoreland.	Missionary Bands of the World a Society duly incorporated under the Laws of Jamaica.	registered at Volume 576
All that parcel of land part of Banbury in the parish of Westmoreland.	The Missionary Bands of the World in Jamaica a body duly incorporated by Law 71 of 1949 of Torrington, Strathbogie in the parish of West- moreland.	Certificate of Title registered at Volume 1041 Folio 33.
All that parcel of land part of Mount Pleasant in the parish of Hanover.	Missionary Bands of the World with head- quarters at Torrington, Savanna-la-Mar in the parish of Westmoreland, a religious society duly incorporated under the laws of Jamaica.	Certificate of Title registered at Volume 981 Folio 155.
All that parcel of land part of Salt Spring Wharf situate at Green Island in the parish of Hanover.	Missionary Bands of the World a religious society duly incorporated under the laws of Jamaica with headquarters at Torrington, Savanna-la- Mar in the parish of Westmoreland.	Certificate of Title registered at Volume 990 Folio 437.
All those parcels of land parts of Weston Park in the parish of Clarendon.	Missionary Bands of the World a Corporation duly incorporated under Law 71 of 1949 and having its office at Torrington, Savanna-la- Mar in the parish of Westmoreland.	Certificate of Title registered at Volume 1016 Folio 31.

[No. 22] The Wesleyan Holiness Church (Incorporation and Vesting) Act, 2002

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Description of Premises	Names of Persons in whom Title now vested	Nature of Title
All that parcel of land part of Weston Park in the parish of Clarendon.	Missionary Bands of the World a Corporation duly incorporated under Law 71 of 1949 and having its registered office at Torrington, Savanna-la- Mar in the parish of West- moreland.	Certificate of registered at Volume Folio 30.
All that parcel of land known as Number Thirty- two Beckford Street, part of Rock Lodge situate in the town of Savanna-la- Mar in the parish of Westmoreland.	Missionary Bands of the World a body incorporated by the Missionary Bands of the World (Law 71 of 1949).	Certificate of registered at Volum Folio 313.
All that parcel of land part of Long Pond in the parish of Westmoreland.	Missionary Bands of the World with head- quarters at Torrington, Savanna-la-Mar in the parish of Westmoreland, a Religious Society duly incorporated under the Laws of Jamaica.	Certificate of registered at Volume Folio 94.
All that parcel of land part of Orange Hill in the parish of Westmoreland.	Missionary Bands of the World with head- quarters at Torrington, Strathbogie Postal Agency in the parish of West- moreland a Religious Society duly incorporated under the Laws of Jamaica.	Certificate of registered at Volume Folio 574.
All that parcel of land part of Cauldwell in the parish of Hanover.	Missionary Bands of the World a Corporation established under Law 71 of 1949 of the laws of Jamaica with its office at Torrington in the parish of Westmoreland.	Certificate of registered at Volume Folio 530.

Description of Premises	Names of Persons in whom Title now vested	Nature of Title
All that parcel of land part of Solas situate at Blackness in the parish of Westmoreland.	The Missionary Bands of the World in Jamaica incorporated by Law 71 of 1949.	Certificate of Title registered at Volume 1003 Folio 389.
All that parcel of land part of Mint in the parish of Westmoreland.	Missionary Bands of the World a body corporate existing under and by virtue of the provisions of the Missionary Bands of the World (Incorporation and Vesting) Law, Law 71 of 1949 and having its main office at Savanna-la- Mar, in the parish of Westmoreland.	Certificate of Title registered at Volume 1032 Folio 176.
All that parcel of land part of Cockpit in the parish of Clarendon.	The Missionary Bands of the World.	Certificate of Title registered at Volume 979 Folio 458.
All that parcel of land part of Paul Island in the parish of Westmoreland.	The Missionary Bands of the World a Religious Body duly incorporated by Law 71 of 1949 of Jamaica, of Torrington, Savanna-la-Mar in the parish of Westmoreland.	Certificate of Title registered at Volume 1017 Folio 119.
All that piece or parcel of land part of Bath Lands in the parish of Westmore- land and Island of Jamaica containing by estimation one-quarter of an acre of land more or less.	The Pentecost Bands of the World a Society duly incorporated under the Laws of the United States of America.	Conveyance In Trust recorded at Liber New Series 463 Folio 418.
All that piece or parcel of land situate at Amity in the parish of Westmore- land containing by survey six acres one rood and thirty-three perches.	Missionary Bands of the World (a Society duly incorporated under the Laws of Jamaica).	Conveyance dated 13th January, 1950 recorded at Liber New Series 681 Folio 354.

[No. 22] The Wesleyan Holiness Church (Incorporation and Vesting) Act. 2002

Description of Premises

Names of Persons in whom Title now vested

Nature of Title

All that piece or parcel of land part of Bath Lands in the parish of Westmoreland and Island of Jamaica containing by estimation one-quarter of an acre of land more or less. The Pentecost Bands of the World a Society duly incorporated under the laws of the United States of America and John Clarke, Ella Riddock and Susan Schlatter (all therein respectively described and therein called "the Trustees").

The Pentecost Bands of the World (a Society duly incorporated under the laws of the United States of America and hereinafter called "The Corporate Body") of the third part and John Clarke, Ella Riddock and Susan Schlatter all of the district of Strawberry in the parish of Westmoreland and Island aforesaid members of the Corporate Body and (hereinafter called "the Trustees").

Conveyance In Trust dated 8th May, 1923 recorded at Liber New Series 463 Folio 415.

All that piece or parcel of land situate and lying and being in the said parish of St. Elizabeth containing by estimation one chain square.

Wesleyan Holiness Church of Round Hill.

Conveyance dated 3rd January, 1980 between Emanuel and Amy Channer of Round Hill, Treasure Beach P.O., St. Elizabeth and Wesleyan Holiness Church. unrecorded Diagram dated 30th March, 1998, Survey Department Examination 262443 No. (Area= 1110.096M or 0.1110ha.)

Description of Premises	Names of Persons in whom Title now vested	Nature of Title
All that piece or parcel of land part of Providence in the parish of Westmoreland containing by survey one and one-half acres.	Missionary Bands of the World a Religious Society duly incorporated under the Laws of Jamaica.	Conveyance dated 16th September, 1952 recorded at Liber New Series 733 Folio 59. Diagram— Survey Department No. 44344 dated 10th March, 1959.
All that piece or parcel of land situate at Kendal in the parish of Hanover containing by estimation one-half acre and five perches.	Missionary Bands of the World (a Society duly incorporated under the Laws of the State of Indiana in the United States of America).	Conveyance In Trust dated 28th January, 1949 recorded at Liber New Series 666 Folio 377.
All that parcel of land situate at Deleon Bigwoods in the parish of Westmoreland containing by estimation two squares of land.	The Pentecost Bands of the World (a Society duly incorporated under the Laws of the State of Indiana in the United States of America).	Conveyance In Trust dated 14th December, 1945 recorded at Liber New Series 594 Folio 157.
All that parcel of land situate in Bigbridge of the parish of Westmoreland containing by ad- measurement from north to south on the eastern boundary fifty-three feet and from north to south on the western boundary fifty-three feet and from east to west on the north- ern boundary fifty-three feet and on the southern boundary fifty-three feet.	Reverend Floyd E. Banker, Reverend Amos A. King and Reverend Noel Williams surviving Trustees of the Missionary Bands of the World.	Agreement dated 15th March, 1965 unrecorded. Conveyance dated 23rd November, 1943 Jonas E. Richards to Cecil Johnson recorded at Liber New Series 594 Folio 159.

Description of Premises	Names of Persons in whom Title now vested	
All that parcel of land situate in the Ricketts River District of the parish of Westmoreland and containing by ad- measurement from north to south on the eastern boundary fifty-eight links and from north to south on the western boundary fifty-eight links and from east to west on the northern boundary fifty links and from east to west on the southern boundary fifty links butting and bounding northerly on a reserved road.	Stella Bare of Torrington and Albretta Alicia Amis of Cornwall Mountain in the parish of Westmoreland surviving Trustees of the Pentecost Bands of the World.	S a F
All that piece or parcel of land part of Knoxwood situate lying and being in the parish of St. Elizabeth containing three acres be the same more or less.	The Missionary Bands of the World.	Ju Li 75
All that piece of land situate at Hopewell in the parish of St. Elizabeth containing by estimation one square chain.	The Missionary Bands of the World a Religious Body duly Incorporated by Laws of Jamaica.	Se at Fo
I give devise and bequeath my one acre of land with house at Petersfield aforesaid butting on the main road from Savanna-la-Mar to Montpelier to Miss Stella Bare, Miss Albretta Alicia Amis and John Adolphus		in t Hi par wi
Clarke, the present		Ma
Trustees of the Religious organization known as the		Pro
Pentecost Bands of the		ist: No
World		INO

World.

Deed of Gift dated 21st September, 1940 recorded at Liber New Series 594 Folio 412.

Nature of Title

Conveyance dated 17th July, 1953 recorded at Liber New Series Volume 755 Folio 177.

Deed of Gift dated 14th September, 1964 recorded at Liber New Series 1207 Folio 277.

Probate and copy Will in the estate of Francis Ann Hislop of Hertford in the parish of Westmoreland, widow, deceased, testate.

In the Resident Magistrate's Court in Probate and Administration on the 11th November, 1938.

The Wesleyan Holiness Church (Incorporation and Vesting) [No. 22] Act, 2002

Description of Premises	Names of Persons in whom Title now vested	Nature of Title
One-quarter acre of land in size one chain by two and one-half chains (more or less) located at Middlesex in the parish of Hanover.		Agreement for Sale dated November 3, 1956 and witnessed on 6th November, 1956 signed by R. Glenn Pelfrey, Superintendent for Miss- ionary Bands of the World in Jamaica. Charles Jones, owner of land and Hyacinth Ricketts, witness.
All that parcel of land situate in Santoy of the parish of Hanover containing by ad- measurement from north to south of the eastern boundary twenty-six feet and from north to south on the western twenty-six feet and from east to west on the northern boundary fifty feet and on the southern boundary fifty feet butting and bounding north same lands south main road east same lands and west same lands.	Floyd E. Banker, Amos King and Noel Williams, surviving Trustees of the Missionary Bands of the World.	Agreement for sale dated 10th April, 1967 from Obediah Campbell and Zeporia Campbell both of Santoy in the parish of Hanover. Witnessed by H. Dennis, Justice of the Peace, Hanover.
Part of Hillside, Knockpatrick.	Wesleyan Holiness Church.	Diagram bearing Examination No. 240004 dated 18th September, 1998 Area unregistered 14443.9000 sq. meters Total=3070.393 sq. meters.
All that parcel of land part of Romans Valley in the parish of St. Catherine containing by Survey one and a half acres.	Halstead Constantine Dixon of Green Hill in the parish of Portland.	Common Law

16

[No. 22] The Wesley...: Holiness Church (Incorporation and Vesting) Act, 2002

Description of Premises	Names of Persons in whom Title now vested	Nature of Title
All that parcel of land part of Crawle in the parish of St. Catherine.	Pilgrim Holiness Church a body corporate under Law 57 of 1944 with offices at Montego Bay in the parish of St. James.	registered at Volume 781 Folio 93.
All that parcel of land part of Rose Hall in the parish of St. Andrew containing by estimation 5 sq. chains.	Gersham and Miriam Gray of Rosehall in the parish of St. Andrew as Trustees for the Pilgrim Holiness Church.	Common Law
All that parcel of land part of Maryland in the parish of St. Andrew containing by survey 2020.59 sq. ft.	Pilgrim Holiness Church a body corporate under Law 57 of 1944 with offices at Montego Bay in the parish of St. James.	Common Law
All that parcel of land part of Caledonia in the parish of St. Catherine containing by survey 1 acre 1 rood and 0.8 perches.	Pilgrim Holiness Church a body corporate under Law 57 of 1944 with offices at Montego Bay in the parish of St. James.	Common Law
All that parcel of land part of Shrewsbury in the parish of Portland containing by survey 2 roods and 8.51 perches.	Pilgrim Holiness Church a body corporate under Law 57 of 1944 with offices at Montego Bay in the parish of St. James.	Common Law
All that parcel of land part of Windsor Castle in the parish of Portland.	Edward Theophilus Gordon of Annotto Bay in the parish of St. Mary, Barber.	Certificate of Title registered at Volume 606 Folio 5.
All that parcel of land part of Port Morant in the parish of St. Thomas.	Pilgrim Holiness Church a body corporate under Law 57 of 1944 with offices at Montego Bay in the parish of St. James.	Common Law

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Description of Premises	Names of Persons in whom Title now vested	Nature of Title
All that parcel of land part of Chancery Hall in the parish of St. Andrew.	Pilgrim Holiness Church a body corporate under Law 57 of 1944 with offices at Montego Bay in the parish of St. James.	Common Law
All that parcel of land part of Wakefield in the parish of Portland.	Pilgrim Holiness Church a body corporate under Law 57 of 1944 with offices at Montego Bay in the parish of St. James.	Certificate of Title registered at Volume 540 Folio 96.
All that parcel of land part of Boundbrook in the parish of Portland.	Pilgrim Holiness Church a body corporate under Law 57 of 1944 with offices at Montego Bay in the parish of St. James.	Certificate of Title registered at Volume 566 Folio 6.
All that parcel of land part of Seaview in the parish of St. Andrew.	Everald Everett Phillips Superintendent of the Pilgrim Holiness Church.	Certificate of Title registered at Volume 439 Folio 29.