

F. W. Owen, the Honorable John S. Saunders, the Honorable A. Edwin Botsford, the Honorable Thomas H. Peters, the Honorable Charles Simonds, and Frederick A. Wiggins, Esquire, and such other persons as are now Members of the said Society, according to the Constitution, Bye Laws, Rules and Regulations thereof, and such other persons as shall from time to time hereafter become Members of the Society, shall be and are hereby declared to be a Body Corporate and Politic in name and in deed by the name of *The Diocesan Church Society of New Brunswick*, and by the said name the said Society shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.

2. The Constitution, Bye Laws, Rules and Regulations hereinbefore recited, shall and the same are hereby declared to be the Constitution, Bye Laws, Rules and Regulations of the said Corporation, and shall and may from time to time, as occasion may require, be rescinded, abrogated, repealed, altered, extended or amended in the manner therein and thereby directed; provided the same be not repugnant to the Laws and Statutes of the Province.

Constitution, &c., before recited, to be the Constitution, &c., but may be amended.

3. The property, both real and personal, moneys, funds, securities and assets of every description of the said Society, whether in possession, remainder, reversion or expectancy, shall from and after the passing of this Act be and the same are hereby declared to be absolutely vested in the said Corporation by the name aforesaid, for the like objects and purposes, and no other, for which the same were held by the said Society, and by the said Corporation shall be appropriated and applied in like manner as the same were required to be appropriated and applied by the said Society; and shall and may from time to time be sued for and recovered by all lawful ways and means to and for the uses aforesaid; and all the liabilities of the said Society, both in law and equity, shall in like manner, from and after the passing of this Act, devolve upon the said Corporation by the name aforesaid, to the same extent as the said Society would have been held liable for, had this Act not been passed.

Property in possession or expectancy, vested in Corporation.

4. This Act shall not take effect unless and until it is accepted by a majority of Members present at any Meeting of the Society to be called for that purpose at Fredericton, by the Lord Bishop of the Diocese, after two months notice to be given by advertisement in the Royal Gazette, and unless it receive the sanction of the Lord Bishop, to be given at or before such Meeting.

Act not to have effect till accepted.

CAP. V.

An Act for the incorporation of certain Bodies connected with the Wesleyan Methodist Church in New Brunswick.

Passed 14th April 1853.

‘ **W**HEREAS a number of persons in this Province are associated together
 ‘ in Classes, Societies and Congregations, constituting a Religious
 ‘ Community known by the name of *The Wesleyan Methodist Church in New Brun-*
 ‘ *wick*, under the pastoral care and direction of Ministers of the Gospel in connec-
 ‘ tion with the British Conference, as known and defined by a certain deed, poll or
 ‘ instrument in writing under the hand and seal of the Reverend John Wesley,
 ‘ bearing date on or about the twenty eighth day of February in the year of our
 ‘ Lord one thousand seven hundred and eighty four, and enrolled in Her Majesty’s
 ‘ High Court of Chancery on or about the ninth day of March in the year last
 ‘ aforesaid; the Ministers and Members of which Church are in connection with
 ‘ and are governed and directed by the rules and usages made or sanctioned from
 ‘ time to time by the said Conference: And whereas for the more beneficial and
 ‘ effectual

Preamble.

Existence of the Wesleyan Methodist Church in New Brunswick;

Circuits, Classes,
Societies and Con-
gregations :

Circuit Stewards :

Trustees of
Chapels, &c.

Districts.

Necessity of
greater facilities.

Inconvenience of
defective titles to
property.

Each Board of
Trustees
incorporated.

The Ministers
constituting a
District Meeting
incorporated.

‘ effectual exercise of pastoral supervision by the Ministers, and for the better and
 ‘ more effectual administration of the discipline of the Church, the Province, or
 ‘ part thereof occupied by such Ministers, is divided into Sections called Circuits;
 ‘ and the Classes, Societies and Congregations within each Circuit respectively,
 ‘ are placed from year to year under the pastoral care of one or more of the
 ‘ Ministers appointed to such Circuit by or by authority of the Conference, and
 ‘ one of whom so appointed to each Circuit is called the Superintendent thereof;
 ‘ and in each of such Circuits certain persons are from time to time appointed,
 ‘ according to such rules and usages, to the offices of Circuit Stewards, to assist
 ‘ in managing the financial affairs of such Circuits; and certain persons are from
 ‘ time to time appointed or recognized, according to such rules and usages, as
 ‘ Trustees of Chapels, or Mission Houses, or Burial Grounds, or other lands or
 ‘ property required for the use of the Church within the Circuits respectively:
 ‘ And whereas for the more convenient regulation of the affairs of the Church, a
 ‘ number of such Circuits are associated together by authority of the said Con-
 ‘ ference, and every such association of such Circuits is called a District, and a
 ‘ yearly assembly of the Ministers in every such District is held, and called the
 ‘ District Meeting of the business of which is generally presided over by
 ‘ one of the Ministers who is called the Chairman of the District and the general
 ‘ Superintendent of Missions therein, and who is appointed to his office by the
 ‘ Conference: And whereas it is necessary that greater facilities should be en-
 ‘ joyed by the Church for holding, possessing and using lands and other property
 ‘ for the support of Public Worship, and for the propagation of Christian Know-
 ‘ ledge, and for the constituting and managing of the funds and institutions for the
 ‘ several and general religious and benevolent objects of the Church: And whereas
 ‘ at sundry times heretofore, lands and other property have been conveyed by devise,
 ‘ or by deeds of gift, or by deeds of bargain and sale, or by other deeds or instru-
 ‘ ments, to the Church Officers, or other parties named or signified in such deeds
 ‘ or instruments or devises, in trust for the use and benefit of the Church, some
 ‘ of which deeds or instruments or devises are defective, as not containing neces-
 ‘ sary directions for the appointment of successors for the trusts respectively
 ‘ created, or as being in other respects not accordant with such rules and usages,
 ‘ from which defectiveness inconveniences have arisen or are liable to arise,
 ‘ which it is necessary to remedy, and in the future to prevent;’

Be it therefore enacted by the Lieutenant Governor, Legislative Council and
 Assembly as follows:—

1. Each Board of Trustees of any Chapel, Mission House, Burial Ground,
 School House, or other property held in trust for the use and benefit of such
 Church in connection with the said Conference, and their successors, and each
 Board of Trustees to be hereafter appointed, according to the rules and usages
 for such purposes, and their successors, shall be a Body Corporate, having per-
 petual succession by the name of *The Trustees of the Wesleyan Chapel*, or Burial
 Ground, or other property, as the case may be, in the place in which the trust
 property shall be situated, or by such other name as is or shall be mentioned in
 the Trust Deed or other act or instrument by which the Trusts respectively are
 or shall be created.

2. The Wesleyan Methodist Ministers now constituting any such District
 Meeting, and their successors, and any others who shall be hereafter, by authority
 of the Conference, constituted a District Meeting, and their successors, shall be
 a Body Corporate, having perpetual succession by the name of *The District
 Meeting of the District*, as the case may be.

3. Each and every of the Corporations of Trustees hereby constituted or to be hereafter constituted by virtue hereof, shall be capable of taking, holding and possessing lands, tenements, moneys, and other property heretofore conveyed to them or which shall be hereafter conveyed for the use and benefit of such Trusts respectively, and of sueing and being sued in any of Her Majesty's Courts of Law or of Equity, and shall have and exercise all the rights, powers and privileges incident to a Body Corporate according to the Laws of this Province; and lands and other property that have been or shall be granted, given or devised for the use of the Church, shall be held to be vested in the District Meeting Corporation, or to be vested in special trust under the Corporate authority hereinbefore created, accordingly as by the known and established general rules and usages of the Wesleyan Society, such lands and property ought to be subjected to the management of the one trust or the other.

Power of Corporation of Trustees to hold land, sue, &c.

Investment of lands, &c. to be according to the known rules of the Wesleyan Society.

4. The District Meeting hereby incorporated, and such District Meetings as shall hereafter be constituted, shall be capable of taking, holding and possessing lands, tenements, moneys and other property for the use and benefit of such Church, in connexion with the Conference, or of any portion thereof, or for the establishment of any funds or institutions which are now or may be hereafter required for the purposes of the Church, or of any portion thereof, or for the purposes of the Conference, and shall have authority respectively, and from time to time, to make laws and regulations for the due management of such funds and institutions, not at variance with the laws of this Province, and of sueing and being sued in any of Her Majesty's Courts of Law or of Equity, and shall have and exercise all the rights, powers and privileges incident to a Body Corporate, according to the Laws of this Province.

Power of incorporated District Meetings to hold lands, sue, &c.

5. When in any case any lands, tenements, moneys, or other property, or any right or interest therein, or use thereof, shall have been given or conveyed, or intended to be conveyed, or shall hereafter be given or conveyed, or intended to be given or conveyed, by grant or devise or otherwise, in trust for the use and benefit of such Church, or of any portion thereof, and no proper provisions have been or be made for the appointment of Trustees or of successors in the Trust, or such provisions have been or shall be made as are not in accordance with such rules and usages, or a vacancy or vacancies in the Trust shall have been or shall be occasioned by death or otherwise, which vacancy or vacancies shall not have been duly filled by the appointment of a successor or successors before the passing of this Act, in any such case now existing the Superintendent of the Circuit in which such Trust existed, or if the property be in a place where no Circuit extends, then the Chairman of the District shall within twelve months after the passing of this Act, and in any such case hereafter arising shall as soon as convenient, cause the requisite number of Trustees, or of successors to the former Trustees, to be duly appointed according to such rules and usages; and the Trustees and their successors so duly appointed, and their successors from time to time thereafter so duly appointed, shall be the proper and lawful Trustees of the Trusts respectively, and shall have and exercise all the rights and powers and privileges pertaining to such Trustees, according to the rules and usages, and with the Corporate privileges and authority which are conferred or are intended to be conferred on the Trustees by this Act.

In certain cases Superintendent of the Circuit, or, in places where no Circuit extends, the Chairman of the District, to cause Trustees or successors of Trustees to be appointed for property conveyed for the benefit of the Church.

6. The Trustees and District Meetings hereby incorporated, or authorised to be hereafter incorporated, and their successors shall hold and exercise the rights, powers and privileges connected with their respective Trusts, in accordance with the rules and usages from time to time passed or established by or by authority of the Conference.

Trustees and District Meetings to exercise their powers agreeably to the regulations of the Conference.

Appointments of successors to Trustees to be recorded in a Book, which shall be evidence in Courts of Law and Equity.

7. The Trustees of any land held or to be hereafter held for a Chapel, or for a Mission House, or Burial Ground, or School House, or other building for the use of such Church, or any portion thereof, shall keep a Book of Records, in which shall be duly entered according to the rules and usages, the appointment of any successor or successors in the Trust; and the person or persons so appointed shall be entitled, in conjunction with the then surviving or remaining Trustees, to hold and possess the lands and all the appurtenances thereof, without any Deed of conveyance or assignment being made to them; and the production of such entry in the Book of Records, or a duly authenticated copy thereof, shall be sufficient evidence of the appointment of such successor or successors in any of Her Majesty's Courts of Law or Equity, and of his or their possession of co-ordinate rights and privileges with other Trustees from the time of the appointment of such successor or successors respectively.

Investment and appropriation of bequests for the support of the Minister of a Circuit, &c.

8. Any real or personal property or sums of money which have heretofore or may hereafter be devised or bequeathed for the support of the Minister of any Circuit, or for any other purpose connected therewith, shall be deemed to be and shall be vested in and payable to the Circuit Steward of such Circuit for the time being, or his successor, whose duty it shall be to dispose of and appropriate the same, with the concurrence and under the directions of the District Meeting, so as nevertheless at all times to give full effect to the wishes and intentions of the testator.

Rights of Corporate District Meetings to be transferred to a Provincial Conference, when such shall be established.

9. If at any time after the passing of this Act a Conference of Wesleyan Ministers shall be, by the authority of the Conference hereinbefore mentioned, organized in the Province, then all the rights, powers and privileges by this Act granted to the District Meeting or District Meetings shall be thenceforward vested in the Conference which shall be so organized; and the lands, tenements, moneys, or other property at such time held by the District Meeting or District Meetings, shall become the property of the Conference in this Province, for the same use and benefit for which they shall have been previously received and held by the District Meeting or District Meetings under the authority and provisions of this Act.

The words "Rules and Usages" shall refer to the Provincial Conference when established. Limitation of property to be held by Boards of Trustees;

10. After the organization of a Conference in this Province, the words "Rules and Usages" in this Act shall be held to refer to such rules and usages as shall thenceforward be made or sanctioned by the Conference in this Province.

District Meetings or Conference.

11. The annual value of lands held by any Board of Trustees incorporated hereunder, shall not exceed at any time the sum of sixty pounds, exclusive of lands and premises held for Chapels, Mission Houses and Burial Grounds.

12. The annual value of lands held by any District Meeting shall not exceed the sum of one thousand pounds; and further the annual aggregate value of the lands to be owned by the several Districts, or by the said Conference when incorporated, shall not exceed at any one time three thousand pounds.

CAP. VI.

An Act to authorise the Roman Catholic Episcopal Corporation for the Diocese of New Brunswick to sell, dispose of, and mortgage Lands in the City and County of Saint John, and to re-invest the proceeds thereof.

Passed 14th April 1853.

Preamble.

WHEREAS the Roman Catholic Episcopal Corporation for the Province of New Brunswick is seized and possessed of a certain lot and parcel of land and premises situate, lying and being in King's Ward, in the City of Saint John, described as follows in the conveyance to the said Corporation, that is