

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1853. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1853.

16 Victoria – Chapter 4

An Act to incorporate the Diocesan Church Society of New Brunswick. Passed 14th April 1853.

Whereas it has been represented to the Legislature of this Province, that certain persons hereinafter named, and divers others inhabitants of New Brunswick, Members of the Church of England, have associated themselves together as a Society under the following Constitution, Bye Laws, Rules and Regulations, that is to say:—

1st. The Society shall be called the Diocesan Church Society of New Brunswick: 2d. No Constitution, Bye Law, Rule or Regulation of the Society, or any abrogation, repeal, change or alteration of the same, shall be of any force until it shall have been sanctioned and confirmed by the Bishop of and administering the Diocese for the time being, by writing under his hand: 3d. The payment at any one time of a sum not less than ten pounds shall constitute a life Member; and the payment annually of any sum however small, shall constitute the person paying the same a Member of the Society: 4th. The Society shall have a President, who shall be the Lord Bishop of the Diocese; two or more Vice Presidents, of whom the Archdeacon shall be the first; one or more Treasurers; one or more Secretaries; two Auditors of Accounts; and an Executive Committee of twenty four Lay Members of the Society, being life Members thereof, or subscribers of at least one pound to the Funds of the Society, who, with the exception of the President and Vice Presidents, shall be annually elected at the Anniversary Meeting: 5th. The officers of the Society and the Clergy of the Diocese, shall be *ex officio* Members of the Committee; five to be a quorum, and three of the five Laymen: 6th. The Society shall embrace the following objects, and none other, viz:—

1. Missionary visits to places where there is no settled Clergyman, and aid to new and poor Missions;

2. The establishment of Divinity Scholarships at King's College, Fredericton; and assistance where necessary to those who may be under preparation for the Ministry, especially sons of Clergymen;

3. Aid to Sunday and other Schools in which Church principles are taught; and the training and encouraging of Schoolmasters and Catechists;

4. The supply of Books and Tracts in strict conformity with the principles of the Established Church of England;

5. Aid to the building and enlarging of Churches and Chapels;

6. Aid to the building of Parsonage Houses;

7. The creation of a fund towards the augmentation of the stipends of Clergymen who are poor; and towards the education of the children of such Clergymen; and towards the making a provision for those who may be incapacitated by age or infirmity;

8. The creation of a Fund for the Widows and Orphans of the Clergy:

7th. The Society will employ no Clergyman on Missionary services without the Bishop's licence and appointment, and will submit its choice of Divinity Scholarships to His Lordship's approbation: 8th. The Society will circulate no Books which are not in the Catalogue of the Society for Promoting Christian Knowledge, except such as the Bishop shall approve: 9th. It shall be competent to any Member of the Society to limit his subscription to any one or more of the objects above recited, which he may be most anxious to promote: 10th. The Members of the Society in each Mission or in each Parish of each Mission, at the discretion of the Missionary, shall constitute a local Committee: 11th. It shall be competent to each Committee to recommend any of the above recited objects to the special consideration of the General Committee, in the appropriation of the Funds of the Society: 12th. The Society shall hold its Anniversary Meeting at Fredericton and Saint John alternately; at the latter place on the Thursday after the third Tuesday in January, and at the former place on the Thursday after the second Tuesday in February, in each year: 13th. The Committee of each Parish or Mission shall hold an annual meeting, on some convenient day, previous to the Anniversary Meeting, when the recommendation to the General Committee of special objects shall be determined on: 14th. Each local Committee shall be empowered to depute two Lay Members of the Society to be elected at the Annual Meeting of the Committee, to assist the Missionary in submitting the recommendations of the Committee to the consideration of the General Committee: 15th. For this purpose the Missionaries and Lay Deputies shall meet in General Committee on the two days or more if need be, previous to the Anniversary Meeting, to make the annual appropriation of the Funds of the Society: 16th. The Executive Committee shall meet either at Fredericton or Saint John on the first Wednesday in January, on the day after the Annual Meeting, on the first Wednesday in March, on the first Wednesday in June, and on the Wednesday after the first Tuesday in October: 17th. The Clergy are requested to preach annually two Sermons in their respective Churches, with a collection on each occasion for the general purposes of the Society: 18th. No Article of the Constitution of this Society shall be rescinded, altered or amended, except with the concurrence of two thirds of the Members present at a General Meeting; and notice of any motion shall be given at the General Meeting previous to the one at which said motion is to be made:

And whereas the said persons have contributed, or engaged to contribute considerable sums of money for the objects therein recited: And whereas it is considered necessary

for the safety of the property of the Society, and would tend greatly to facilitate and promote the purposes of the said Society, that it should be incorporated;

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

1. The Right Reverend the Lord Bishop of Fredericton, the Venerable and Reverend George Coster, the Honorable Neville Parker, the Honorable Robert Parker, the Honorable George Frederick Street, the Honorable William Black, the Honorable William Crane, the Honorable John R. Partelow, the Honorable John Ambrose Street, the Honorable Robert Duncan Wilmot, the Honorable Edward B. Chandler, the Honorable Robert L. Hazen, the Honorable William 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 indeed 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.
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.
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

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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.