

*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.

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**An Act for the incorporation of certain Bodies connected with the Wesleyan Methodist Church in New Brunswick. Passed 14th April 1853.**

Whereas 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 Brunswick, under the pastoral care and direction of Ministers of the Gospel in connection 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 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 Conference, 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 enjoyed by the Church for holding, possessing and using lands and other property for the support of Public Worship, and for the propagation of Christian Knowledge, 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 instruments, to the Church

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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 necessary 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 perpetual 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 suing 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.
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 suing 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.

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.

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.

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 coordinate rights and privileges with other Trustees from the time of the appointment of such successor or successors respectively.

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.

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.

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.

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.