

Transmitted from L. Council & read a first time
June 5th 1856. *H. M. C.*

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**THE RELIGIOUS, CHARITABLE, AND
EDUCATIONAL TRUST ACT, 1856.**

**In the Nineteenth Year of the Reign of Her Majesty Queen
Victoria.**

SESSION 4, No .

A N A L Y S I S.

<p>Title. Preamble. 1. Freehold of Trust property to vest in Trustees or in their successors, to be appointed as herein provided.</p>	<p>2. Evidence of appointment, how to be preserved. 3. Short title. Schedule.</p>
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A BILL to render more simple and effectual the Titles by which Property is held for Religious, Charitable, or Educational purposes in New Zealand. Title.

WHEREAS it is expedient to render more simple and effectual the Titles by which Property is held for Religious, Charitable, or Educational purposes in New Zealand, Preamble.

Be it therefore enacted by the General Assembly of New Zealand as follows:

1. Wherever any Freehold or Leasehold Property has been acquired, or hereafter shall be acquired by, or on behalf of any Religious Denomination, Congregation, or Society, or Body of persons associated for Religious or Charitable purposes, or for the promotion of Education. And wherever 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 any such Denomination, Congregation, or Society, or Body of Persons, or for the Individuals composing the same;

Freehold of Trust property to vest in Trustees or in their successors, to be appointed as herein provided.

Such Conveyance, Assignment, or other Assurance, shall not only vest the Freehold or Leasehold Property thereby conveyed, assigned, or otherwise assured in the Party or Parties named therein, but shall also effectually vest such Freehold or Leasehold 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, then in such successors for the time being wholly 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 Trust thereof, or if no mode of appointment be therein set forth, prescribed, or referred to, or if the power of appointment be lapsed, then in such manner as shall be agreed upon by such Denomination, or by a Body constituted to represent them, or by such Congregation, Society, or Body of Persons, upon such and the like Trusts, and with and under, and subject to the same Powers and Provisions as are contained or referred to in such Conveyance, or Assignment, or other Assurance, or in any such separate Deed or Instrument upon which such Property is held. And that without any Transfer, Assignment, Conveyance, or other Assurance whatsoever: Any thing in such Conveyance, Assignment or other Assurance, or in any separate Deed or Instrument contained to the contrary notwithstanding. Provided always, that in case of any appointment of a new Trustee or Trustees, or of the conveyance of the Legal Estate in any such Property being made as heretofore was by Law required, the same shall be as valid and effectual to all intents and purposes as if this Act had not been passed.

Evidence of appointment, how to be preserved.

2. For the purpose of preserving evidence of every such choice and appointment of a new Trustee or new Trustees and of the Person or Persons in whom such Property shall so from time to time become legally vested, 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 credible witnesses, which Deed may be in the form or to the effect of the Schedule to this Act annexed, or as near thereto as circumstances will allow, and may be given and shall be received as Evidence in all Courts and Proceedings in the same manner and on the like Proof as Deeds; and shall be Evidence of the Truth of the several Matters and Things therein contained.

Short title.

3. This Act shall be entitled and may be cited as "The Religious, Charitable, and Educational Trusts' Act, 1856."

SCHEDULE.

Memorandum of the Choice and Appointment of New Trustees of the following Properties, viz.— (Description of Property), situate at a Meeting of (description of Congregation, Society, or Body of Persons) duly convened and held for that purpose at or in (name of Place) on (date) and of which (name of Chairman or President, A. B.) was Chairman and President.

Names and Descriptions of all the Trustees on the Constitution, or last appointment of Trustees made A.D. day of

Adam Bell, of
Charles Dixon, of
Edward Foster, of

Names and Descriptions of all the Trustees in whom the said Property now becomes legally vested,—

First,—Old continuing Trustees,—

Charles Dixon, of
Edward Foster, of

Second,—New Trustees now chosen and appointed,—

Benjamin Adams, of
Jonathan Edmonds, of

Dated this day

Signed A. B. L. S.
Chairman or President of the said Meeting.

Signed, Sealed, and Delivered, by the said A. B., as Chairman or President 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.

Passed the Legislative Council this fifth day of June in the year of Our Lord one thousand eight hundred and fifty six.

J. H. Bartley

Jas. Ino. Kenna
Clerk of the Legislative Council.

Speaker.

I hereby certify that this Bill is in accordance with the Bill as passed by the Legislative Council.

J. H. Bartley