

[STATUTES OF UPPER CANADA, 1828] [1]

[9th YEAR GEORGE IV.]

CHAP. II.

An Act for the Relief of the Religious Societies therein mentioned.

[Passed 25th March, 1828.]

[1] Preamble.

WHEREAS Religious Societies of various denominations of Christians find difficulty in securing the Title of Land requisite for the Site of a Church, Meeting-House or Chapel, or Burying-ground, for want of a Corporate capacity to take and hold the same in perpetual succession;

And whereas it is expedient to provide some safe and adequate relief in such cases.

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain entitled, "*An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America', and to make further provision for the Government of the said Province,*" and by the authority of the same,

[I.] Provision in behalf of certain Religious Societies,

That whenever any Religious Congregation or Society of Presbyterians, Lutherans, Calvinists, Methodists, Congregationalists, Independants, Anabaptists, Quakers, Menonists, Tunkers or Moravians, shall have an occasion to take a Conveyance of Land for any of the uses aforesaid,

allowing lands to be held for their use

it shall and may be lawful for them to appoint Trustees, to whom, and their Successors to be appointed in such manner as shall be specified in the Deed, the Land requisite for all or any of the purposes aforesaid may be conveyed, and

such Trustees, and their Successors in perpetual succession by the name expressed in such Deed, shall be capable

by Trustees and their successors in perpetual succession.

of taking, holding, and possessing such Land, and

of commencing and maintaining any action or actions in Law or Equity for the protection thereof, and of their right thereto.

II. And be it further enacted by the authority aforesaid, That there shall not be held in trust for the purposes aforesaid more than Five Acres of Land for any one Congregation.

No one congregation shall hold more than five Acres.

III. And be it further enacted by the authority aforesaid, That such Trustees shall, within Twelve months after the execution of such Deed, cause the same to be Registered in the Office of the Register of the County in which the Land lies.

Trust Deeds to be registered.

IV. And be it further enacted by the authority aforesaid, That all Conveyances made before the passing of this Act, for all or any of the purposes aforesaid, shall be good and valid in Law in like manner as if the same had been made after the passing of this Act, and subject to the provisions of this Act,

Conveyances heretofore made for the purposes of this Act made valid.

provided such Conveyance shall have been already Registered, or shall be hereafter Registered as aforesaid, within Twelve Months after the passing of this Act.

Registry.

[1] https://www.canadiana.ca/view/oocihm.9_10042_35/6