

Bill No. 29 of 1960.

CHRISTIAN CATHOLIC CHURCH (INCORPORATION) BILL, 1960.

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Incorporation of the Board of Trustees.
4. Death or absence from British Guiana of member of Board.
5. Vesting of property.
6. Vesting of property bequeathed.
7. Tenure of property for use of the Church.
8. Change of membership not to be derogate from powers of Board.
9. Exercise by Board of powers in matters not specially provided for by Ordinance.
10. Evidence of membership of the Board.
11. Service of process.
12. Saving the rights of Her Majesty.
13. Repeal of Chapter 226.

A BILL

Intituled

AN ORDINANCE TO REPEAL AND RE-ENACT THE CHRISTIAN CATHOLIC CHURCH (INCORPORATION) ORDINANCE.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Christian Catholic Church (Incorporation) Ordinance, 1960.

Short title.

2. On this Ordinance—

Interpretation.

“the Board of Trustees” of “the Board” means the Board of Trustees of the Christian Catholic Church in British Guiana constituted in accordance with the provisions of this Ordinance;

“the Church” means the Christian Catholic Church in British Guiana, being a branch of the Christian Catholic Church of Zion, Illinois, in the United States or America;

“Executive Council” means the Executive Council of the Church appointed or elected in accordance with the constitution and by-laws for the time being in force of the parent Church;

“the Field Supervisor” means any person holding the office of Field Supervisor of the Church;

“the General Overseer” means any person holding the office of General Overseer of the parent Church;

“member” means a member of the Board of Trustees;

“the parent Church” means the Christian Catholic Church of Zion, Illinois, in the United States of America;

“the Superintendent” means any person holding the office of Superintendent of the Church.

3. The General Overseer, the Superintendent, the Field Supervisor and one other member, who shall be a person holding office in that behalf by virtue of his being appointed thereto by the Executive Council, shall be a body corporate and shall have the name of the Board of Trustees of the Christian Catholic Church in British Guiana with perpetual succession and a common seal and the Board shall have full power to purchase, take, hold, enjoy, sell, transport, mortgage, lease, take on lease, invest and otherwise deal with and dispose of all property movable and immovable, of what nature or kind soever,

Incorporation
of the Board
of Trustees.

subject, however, to the performance of any trust upon which that property has been acquired, and may sue and be sued in all courts in British Guiana:

Provided that any person appointed in that behalf by the General Overseer shall be a member in his place until the appointer ceases to hold the office of General Overseer or revokes such appointment in writing.

Death or absence from British Guiana of member of Board.

4. During the absence of any member from British Guiana, or the refusal or inability of any member to act as such, or the subsistence of any vacancy in the membership of the Board occasioned by the death of any member or otherwise, the surviving or remaining members may in the name of the Board exercise all or any of the powers conferred on the Board by this Ordinance.

Vesting of property. Schedule.

5. The property set out in the schedule to this Ordinance and all the property which immediately prior to the commencement of this Ordinance was vested in, or held for the use and benefit of the Christian Catholic Church in British Guiana is hereby vested in the Board of Trustees appointed as aforesaid.

Vesting of property bequeathed.

6. All property movable or immovable of what nature or kind soever hereafter bequeathed by will or otherwise given to the Church shall be deemed to be the property of the Board.

Tenure of property for use of the Church.

7. All property vested in or hereafter acquired by the Board shall be held by the Board for the use and benefit of the Church.

Change of membership not to derogate from powers of Board.

8. No change in the membership of the Board of Trustees shall derogate from the title or powers of the Board in respect of any property or any estate or interest therein.

Exercise by Board of powers in matters not specially provided for by Ordinance.

9. In all matters not specially provided for by this Ordinance, the Board shall, so far as may be practicable, possess and exercise the like power and authority as are possessed and exercised by the parent Church, and its proceedings shall be governed by the laws, regulations, processes and practice of that body in so far as they are not repugnant to, or in conflict with, any Ordinance or law in force in British Guiana.

Evidence of membership of the Board.

10. A statement that any person named therein is a member of the Board of Trustees, purporting to be signed by the Superintendent shall be **prima facie** evidence of the said fact.

Service of process.

11. All process which is required to be served on the Board shall be deemed to be sufficiently served —

- (a) if a copy thereof is left with the Superintendent at any place within British Guiana, or with an adult inmate at the place of residence in British Guiana of the Superintendent; or
- (b) if a copy thereof is published in the Gazette.

Saving the rights of Her Majesty.

12. Nothing in this Ordinance shall be deemed to affect any right of Her Majesty the Queen, her heirs and successors, or of any body politic or corporate or of any other person or persons except such as are mentioned in this Ordinance and those claiming by, from, through or under them.

Repeal of Chapter 226.

13. The Christian Catholic Church (Incorporation) Ordinance is hereby repealed.

SCHEDULE

Sec. 5.

1. Sub-lot "B" being part of the east half of lot number 302 (three hundred and two), Church and East Streets, in South Cummingsburg District, in the city of Georgetown, in the county of Demerara, British Guiana, the said sub-lot being shown and defined on a plan of the said east half lot made by the Sworn Land Surveyor, S. S. M. Insanally, dated the 22nd day of October, 1949, and deposited in the Deeds Registry at Georgetown on the 13th day of February, 1950, with all the buildings and erections thereon.

2. Part of the northern back half of lot number 54 (fifty-four), situate in that part of the town of New Amsterdam called Stanleytown,

in the county of Berbice, British Guiana, bounded on the east by the drain along Savannah Road, on the west by the drain along Providence Street, on the north by the drain dividing lots numbers 53 and 54 and on the south by the drain along the street, running through the centre of the said lot.

3. South half of house lot number 67 (sixty-seven), part of the west half of plantation Windsor Forest, situate on the west sea coast of the county of Demerara, British Guiana, the said lot being laid down and defined on a plan of a portion of the said plantation by J. C. Allen, acting Government Surveyor, dated 15th October, 1917, and deposited in the Office of the Registrar of British Guiana on the 11th day of December, 1917, with the building thereon reserving to the Colony of British Guiana all and every right, title or claim to any bauxite in, upon or under the land hereby transported.

4. Sub-lots (a) and (b) of lot number 40 (forty), south of the public road, Rose Hall, in the Rose Hall Village District, in the county of Berbice, British Guiana, as shown on a plan by E. C. H. Klautky, Sworn Land Surveyor, dated September, 1911, and deposited in the Office of the Registrar at New Amsterdam, Berbice, on the 10th July, 1912.

5. North half of lot number 53 (fifty-three) and north half of lot number 56 (fifty-six), Anna Catherina, situate on the west sea coast of the county of Demerara, British Guiana, as laid down and defined on a plan by John Peter Prass, Sworn Land Surveyor, dated the 17th day of March, 1880, and deposited in the Registrar's Office on the 12th day of March, 1885.

6. A lease of the piece or parcel of Crown land situate in the village of Bartica at the confluence of the Essequibo and Mazaruni rivers in the County of Essequibo, British Guiana, and more fully described as follows: the tract commences at a paal (J.P.) marking the south-western corner of lot number 97 (ninety-seven), Third Avenue Bartica, the said lot originally laid out and shown on a plan dated August, 1887, by Wm. Chalmers, Assistant Crown Surveyor, and extends in facade N $16^{\circ} 15'$ (true) 61.78 feet with a depth N $106^{\circ} 15'$ (true) of 185.34 feet, being lot No. 97, Third Avenue, Bartica Village, containing .263 acres as shown on a diagram dated the 8th day of March, 1940, by Jos. Phang, Government Surveyor.

7. A lease of the piece or parcel of Crown land situate at and being lot number 34 (thirt-yfour), East side Bartica-Potaro Road, in the county of Essequibo, British Guiana, containing 5.469 acres as shown on a plan by J. A. Sweetnam, Assistant Government Surveyor, dated the 11th day of December, 1943.

OBJECTS AND REASONS

Under Chapter, 226, the Superintendent of the Christian Catholic Church in British Guiana and his successors in office are a body corporate with power to acquire and dispose of property for the benefit of the Church and to sue and be sued. This Bill seeks to repeal Chapter 226 and, in place of the body thereby incorporated, to incorporate the General Overseer of the Church in the United States of America, the Superintendent and the Field Supervisor of the Church in British Guiana and one other person appointed locally, under the name of the Board of Trustees of the Christian Catholic Church in British Guiana.

2. The Bill also seeks to vest in the Board of Trustees the powers and property hitherto vested in the existing corporate body.

(Leg. Bill 29/1960).