

T A S M A N I A.

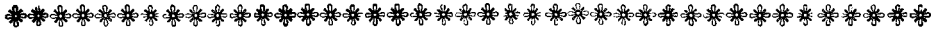


1888.

ANNO QUINQUAGESIMO-SECUNDO

VICTORIÆ REGINÆ,

No. 5.



AN ACT to incorporate the Baptist Union A.D. 1888.
of *Tasmania*. [2 July, 1888.]

WHEREAS certain persons, being members of a religious body or denomination called Baptists, in the Colony of *Tasmania*, and holding as their general tenets the doctrines set forth in Schedule (A.) hereto, have formed themselves into an Association called "The Baptist Union of *Tasmania* :"
PREAMBLE.

And whereas the present constitution of the last-mentioned Association is set forth and described in the said Schedule (A.) hereto :

And whereas certain real and personal property are now vested in Trustees upon trusts providing for the use of such real and personal property by persons belonging to the said Association, but such trusts are not in all cases the same :

And whereas it is expedient that the said Union should be incorporated, and that all the said real and personal property should be held upon the same trusts, and that provision should be made for the acquisition of further property by the said Union upon such trusts as are hereinafter mentioned :

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 The short title of this Act is "The Baptist Union Incorporation Act, 1888." Short title.

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—
 Interpretation
 of the word
 "Church."

2 In this Act the word "Church" shall mean any number of persons not being less than Five male persons of Twenty-one years of age each, and who have the qualifications for membership specified in Clauses Eight and Ten of the Rules set out in Schedule (B.), and the recognised Officers according to Clauses Thirteen and Fourteen in the said Schedule (B.), for the time being united for Christian fellowship and work in any place in *Tasmania*, and holding the doctrines set forth in Schedule (A.) hereto, and who call themselves by the distinctive name of Baptists; and throughout this Act the said word "Church" refers to the Churches severally in different localities who may seek to take advantage of this Act for the purpose of conveying or transferring their real and personal property to the body corporate hereinafter mentioned.

Union incor-
 porated

3 All persons who are or who may hereafter become members of the religious body or denomination in *Tasmania* holding as their general tenets the doctrines set forth in the said Schedule (A.), and who now or hereafter may constitute the Association called "The Baptist Union of *Tasmania*," shall from henceforth be a body corporate by the name of "The Baptist Union of *Tasmania*," and shall have perpetual succession and a common seal; and under that name may exercise all the powers, rights, and privileges possessed at law by bodies corporate of a like character; and it shall be lawful for the said body corporate to make By-laws and such alterations in the constitution of the said body corporate as may from time to time be found necessary; and it shall be further lawful for the said body corporate to take, purchase, receive, hold, and enjoy real and personal property of any description whatsoever; and also to sell, grant, convey, demise, or otherwise dispose of, either absolutely or in any other manner which the Executive Council hereinafter mentioned shall deem expedient or proper, any of the property, real or personal, belonging to the said body corporate; and generally to exercise, subject to the provisions of this Act, all powers incident to a body corporate; and the Executive Council for the time being of the said Association shall have the custody and use of the common seal of the said body corporate; and a majority of the members of such Council present at any meeting shall have power to use or direct the use of such seal for all purposes for which the use of such seal is required. The seal shall only be affixed by virtue of a Resolution of the said majority, and in the presence of Two members of the said Council and the Secretary for the time being of the said Union. And the said Two members and the Secretary shall sign their names to the document to which the seal has been affixed.

Trustees of land,
 &c. held in trust
 for Baptists em-
 powered to
 convey to the
 Union.

4—(1.) All persons who now hold or in whom are vested any real or personal property as Trustees in trust for the said religious body or denomination by the name of Baptists, or for any Church connected therewith or designated by the name of Baptists, shall, subject to the proviso hereinafter contained, convey or transfer the same to the said body corporate under and subject to the trusts set forth and specified in Schedule (C.) hereto; and the trusts (if any) under which such real or personal property had been theretofore held shall thereupon cease and determine.

(2.) If any of the said Trustees shall at the time of the execution of such conveyances be absent from the said Colony, then any of his Co-Trustees may act as his attorney, and sign and execute

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any such conveyance for every such Trustee so absent from the Colony as aforesaid, and such signature and execution shall have the same effect as if the conveyance was signed and executed by the Trustee so absent from the Colony as aforesaid. A.D. 1888.

(3.) If any Trustee or Trustees is or are absent from the Colony, or if there be no Trustee, or if any Trustee or Trustees cannot be found, or if any Trustee or Trustees refuse or decline, or is or are unable or incapable from any cause whatever to execute such conveyance or to make such transfer, then and in any and every such case it shall be lawful for the said Executive Council by Resolution to nominate any Two members of such Council to execute a Deed Poll to convey or transfer any real or personal property to the said body corporate; and when and so soon as the said Deed Poll shall have been executed by the said Two members, then the said property shall be deemed to be vested in the said body corporate.

5 When there is an existing Church interested in any real and personal property, then such Trustees or Trustee shall not make any such conveyance or transfer as aforesaid of the said real or personal property to the said body corporate, nor shall the said Deed Poll be executed until there has been first obtained the consent and direction of the majority of the Church members in trust for whom such property is held, present at a meeting duly convened as hereinafter mentioned for that object; and such meeting shall be called by a notice stating the object of such meeting, together with the day, hour, and place of holding such meeting, which notice shall be signed by the Pastor for the time being, or, in case of his neglect for Fourteen days, or refusal after request in writing made by Five members of the Church to sign such notice, or, in case of there being no Pastor, then by the same number of members, and such notice shall be posted on the door of the Church building used for public worship, or in connection with the said property on at least Two successive *Sundays* immediately preceding the day on which such meeting shall be appointed to take place; and shall, if practicable, be read during some part of each of the public services held on the same Two *Sundays* in such Church building; and no direction or consent shall be considered to have been given until such meeting shall have been called in the way prescribed, and a three-fourth's majority of the Church members present and voting at such meeting shall have passed a Resolution directing such conveyance to be made. The said direction or consent shall be signed by the Chairman of the said meeting, or by some other person deputed by the said meeting for such purpose. No such conveyance to be made until consent and direction of majority of Church members obtained.

6 Only members qualified according to Rules Fifteen, Twenty-three, and Twenty-seven in Schedule (B.) shall be allowed to vote. Members entitled to vote.

7 The Chairman of every such meeting as aforesaid shall be the Pastor of the Church, or, in case of his refusal, absence, or incapacity, or of there being no Pastor, then a person chosen by the major part of the members present at the meeting; and the Chairman of such meeting shall have a deliberative vote, and, in case of an equality of votes on any question, shall have a casting vote. Who to be Chairman of meeting.

8 Where there is any property vested in any Trustees for the use of any persons associated for religious purposes under the distinctive Where no Church existing.

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name of Baptists, or for the benefit or use of the said religious body or denomination, and there is no such association of persons as aforesaid, or no Church in possession of such property, or no meetings of any such association of persons as aforesaid, or of any Church recognised by such Trustees as entitled to such property have been held regularly for religious exercises during a period of Two years, the Trustee or Trustees shall, within Six months after notice in writing from the Executive Council of the Baptist Union, execute a conveyance of such property to the said body corporate, and such property when conveyed to the said body corporate shall be held upon the trusts set forth and specified in the said Schedule (C.)

Provided that in every such case as aforesaid, if the Trustees of the property have exercised due care in respect thereof, and have devoted the rents and profits thereof (if any) in or towards the liquidation of any debt secured thereon, the said period of Two years shall not commence to run until such debt is fully paid or until the Trustees have ceased to exercise due care in respect of the property and to devote the rents and profits thereof in or towards the liquidation of such debt.

Provided also, that it shall be competent for the said Executive Council to apply at any time to the Supreme Court for an Order directing the Trustees of any such property as aforesaid to convey the same to the said body corporate in accordance with the provisions of this Act; and the Supreme Court, if satisfied that such Trustees have not shown sufficient cause why they should not convey such property to the said body corporate, shall make an Order directing such Trustees to convey such property to the said body corporate; and in every such case the Supreme Court may make such Order as to the payment of costs as the Court shall think fit.

Indemnity to Trustees.

9 No Trustee or Trustees who shall in accordance with the provisions of this Act do or execute, or join in doing or executing, any act, deed, conveyance, transfer, or assurance, or other matter or thing necessary to vest any real or personal property in the said body corporate, shall incur any liability in respect thereof, and every Trustee who does or executes any such act, deed, conveyance, transfer, or assurance, or other matter or thing as aforesaid, for the purpose aforesaid, is hereby released and discharged from all actions, suits, claims, and demands for any act *bonâ fide* done by him in or about the conveyance, transfer, or assurance of any real or personal property to the said body corporate in accordance with the provisions of this Act.

Exception.

10 Nothing in this Act shall be construed to include or in any way affect a sum of Six thousand Pounds vested in Messieurs *William Gibson* the Younger, *Harry Benjafield*, *William Hortle*, *George Titmus*, and *Joshua Towell Soundy*, or the trusts on which such sum is held, and which sum is particularly mentioned and the said trusts particularly set out in a Deed of Declaration of Trust bearing date the Sixth day of *October*, One thousand eight hundred and eighty-seven, and executed by the said *William Gibson* the Younger, *Harry Benjafield*, *William Hortle*, *George Titmus*, and *Joshua Towell Soundy*; nor shall this Act be construed to include or affect any further sum of money which may hereafter be held by those persons or their successors upon the same trusts.

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11 All real and personal property hereafter granted or devised or otherwise assured or conveyed either to Trustees or otherwise for the use or benefit of any church in connection with the said religious body or denomination, or for the use and benefit of the said religious body or denomination generally, shall, except as mentioned in the last preceding Section, be subject to the provisions of this Act.

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Future property

SCHEDULE.

(A.)

CONSTITUTION AND RULES OF THE BAPTIST UNION OF TASMANIA.

THE Title of the Union shall be "The Baptist Union of *Tasmania*."

The following are the objects of the Union;—

- i. To promote the unity, edification, and prosperity of the Baptist Churches of *Tasmania*.
- ii. To spread the Gospel of the Lord Jesus throughout *Tasmania* by promoting Evangelistic work, by establishing Churches of baptized believers, and by erecting suitable buildings for the prosecution of such enterprise, and by assisting and training young men approved by the Council for the Christian Ministry.
- iii. To maintain fraternal relations with all other Evangelical Churches, and to co-operate with all who love the Lord Jesus in efforts to extend His Kingdom both at home and abroad.

The following Doctrines must be held by the Members of the Union:—

1. The Divine inspiration of the Holy Scriptures, and that they alone constitute the only infallible rule of faith and practice in all religious matters.—2 *Tim.*, iii., 16, 17.
2. The Unity of the Godhead and Trinity of Persons therein.—*Matt.*, xxviii., 19.
3. The incarnation of the Son of God.—*John*, i., 14. His death to atone for sinners.—1 *Peter*, iii., 18. His resurrection from the dead.—1 *Cor.*, xv., 20. His exaltation to the right hand of God (*Acts*, ii., 32, 33) where He ever liveth to make intercession for His people. His coming again to receive His people unto Himself.—*John*, xiv., 3; 1 *Thess.*, iv., 16, 17.
4. That according to the promise of our Lord Jesus Christ before His ascension, He shed forth the Holy Ghost, as was manifested on the day of Pentecost, and on the household of Cornelius.—*Acts*, ii., 1-4; x., 44-47.
5. The universal sinfulness of man, his lost state by nature.—*Rom.*, v., 12. Salvation as God's free gift to all who believe, on the ground of Christ's atonement—*Acts*, xiii., 38, 39. The final preservation of saints.—1 *Peter*, i., 5; *John*, x., 28. And the absolute necessity of the Holy Spirit for regeneration and godly living.—*John*, iii., 5; *Gal.*, v., 22.
6. The immortality of the soul, the resurrection of the body, the judgment of the world by our Lord Jesus Christ, the "eternal" blessedness of the righteous, and "eternal" punishment of the wicked.—*John*, v., 29; 1 *Thess.*, iv., 16; *Jude*, 15.
7. The baptism of the whole body in water as a public profession of faith and sign of a new life.—*Romans*, vi., 4, 5; *Mark*, i., 10; *Acts*, ii., 38-41.

R U L E S.

I. That the affairs of the Union be administered by a President, Vice-President, Treasurer, Secretary, and an Executive Council of Six, Four to form a quorum: the whole of the Officers to be elected at the Annual Meeting of the Assembly.

II. That the Assembly shall consist of the accredited Pastors of the Churches in association with the Union, and such Delegates as are elected by the Churches of

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which they are Members in accordance with the following rule:—Churches having not more than Fifty Members to send One representative; those having more than Fifty but not more than One hundred, to send Two; Churches having more than One hundred Members to send One representative for every additional Fifty or fractional part of Fifty.

III. That all Delegates to the Assembly must be baptised believers.

IV. That all voting for the election of Officers be by ballot, but that voting on other questions be by show of hands unless otherwise determined by the Assembly.

V. That it shall be the function of the Assembly to administer through its Executive all funds subscribed for Home Mission purposes in the carrying out of such work as has been approved by the Assembly.

VI. That each Church in association be required to furnish the Secretary, at least One month before the Annual Meeting of the Assembly, with a report of work done during the year, and at the same time to remit the Treasurer some contribution towards the Home Mission Fund.

VII. That the Assembly, whilst fully recognising the right of each individual Church to manage its own internal affairs, requires that in the event of a Pastor's resignation an early intimation of the fact be sent to the Council through its Secretary, and that, before final choice of a successor be made, his name and credentials be submitted to the Council for approval.

VIII. That there shall be an Annual Meeting of the Union, and such meeting shall be held in *April*.

IX. That in the event of any dispute arising in an associated Church, which cannot be settled by the Members of the Church in question, the subject of dispute be laid before an impartial Board of Five appointed by the Council, whose decision shall be binding on all concerned.

X. That there shall be an appeal from the ruling of the Council to the Assembly, whose decision shall be final.

XI. That for the decision of all ordinary questions a bare majority shall suffice; but that in admitting Churches and Members into Association a two-thirds majority shall be required.

XII. That each Church be expected to contribute to the expenses of the Union.

XIII. That Evangelistic work be undertaken by the Pastors of the associated Churches, they receiving only their bare expenses with sufficient to pay for the supply of their own pulpits while engaged in the business of the Union, and that the Council be at liberty to employ special Evangelists should it see fit.

XIV. That these Rules (not the Doctrines) may be altered or added to by Three-fourths of the Members of the Union; notice of such alteration or addition being given to the Secretary Six months before the Annual Meeting.

(B.)

RULES OF THE ASSOCIATED BAPTIST CHURCHES OF TASMANIA.

1. DOCTRINES.

The Church holds the following Doctrines as Scriptural:—

1. The divine inspiration of the Holy Scriptures, and that they alone constitute the only infallible rule of faith and practice in all religious matters.—*2 Tim.*, iii., 16, 17.

2. The unity of the Godhead and Trinity of Persons therein.—*Matt.*, xxviii., 19.

3. The incarnation of the Son of God.—*John*, i., 14. His death to atone for sinners.—*1 Peter*, iii., 18. His resurrection from the dead.—*1 Cor.*, xv., 20. His exaltation to the right hand of God—(*Acts*, ii., 32, 33) where He ever liveth to make intercession for His people. His coming again to receive His people unto Himself.—*John*, xiv., 3; *1 Thess.*, iv., 16, 17.

4. That according to the promise of our Lord Jesus Christ before His ascension, He shed forth the Holy Ghost, as was manifested on the day of Pentecost, and on the household of Cornelius.—*Acts*, ii., 1-4; x., 44-47.

5. The universal sinfulness of man, his lost state by nature—*Rom.*, v., 12. Salvation as God's free gift to all who believe, on the ground of Christ's atonement.—*Acts*, xiii., 38, 39. The final preservation of saints.—*1 Peter*, i., 5; *John*, x., 28. And the absolute necessity of the Holy Spirit for regeneration and Godly living.—*John*, iii., 5; *Gal.*, v., 22.

6. The immortality of the soul, the resurrection of the body, the judgment of the world by our Lord Jesus Christ, the "eternal" blessedness of the righteous, and "eternal" punishment of the wicked.—*John*, v., 29; *1 Thess.*, iv., 16; *Jude*, 15.

7. The baptism of the whole body in water as a public profession of faith and sign of a new life.—*Romans*, vi., 4, 5; *Mark*, i., 10; *Acts*, ii., 38-41.

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II. MEMBERS.

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8. The Church shall consist exclusively of Members who have undergone that change of heart wrought by the Holy Spirit, called in Scripture Regeneration or New Birth, whose walk and conversation bear testimony to that change, and who have had the whole body immersed in water as a profession of that change.

9. Any person desiring union with the Church must apply to the Pastor, or in his absence to one of the office-bearers. (By such application it should be understood that the candidate consents to work harmoniously with the Church, and to be subject to its rules). He will, if satisfied, lay the application before the Deacons, and thereafter, if thought wise, before a Church meeting; the voting shall not take place until the following meeting, when evidence of fitness and character shall be given by the Pastor, and at least Two Members; also the Church may then, if deemed necessary, appoint Two Members to make enquiries, visit the candidate, and report at a subsequent meeting. Should any Member object to a candidate being received, he must state in writing the ground of the objection, to the Pastor and Deacons, before the second Church meeting.

10. Baptised Members of other Churches may be received into Membership on the reception of a letter of transfer from their former Church, and on the evidence of a consistent Christian life; also immersed believers of good repute, with supporting testimony, who from justifiable causes are not able to produce regular transfers.

11. All persons accepted by the Church shall, after baptism, receive the right hand of fellowship by the Pastor, or, if absent, by the senior Deacon, or a brother Minister, at the communion of the Lord's Supper.

12. Every Member of the Church shall be expected to contribute weekly, according to ability, to the funds of the Church, in accordance with the command in 1 *Cor.*, xvi., 2.

III. OFFICERS.

13. There shall be a Pastor or Bishop whose qualifications must be tested by 1 *Timothy*, iii., 1-7; *Titus*, i., 7-9. He shall be chosen to the pastorate of the Church by not less than Three-fourths of its Members, and if a majority of Members think fit, such Pastor shall not be elected until after Three months' probation, his name having first been submitted to the Council of the Baptist Union for their approval. The Pastor shall be President of all Church and Deacons' meetings, also of all institutions connected with the Church.

If the Pastor be requested by Three-fourths of the Members to give up the Pastorate, he shall do so within Three months.

If the Pastor resigns the Pastorate, the Church must receive at least Six weeks' notice in writing.

14. There shall be Deacons (and if necessary, Elders—*Titus* i., 5.) whose duty will be to assist the Pastor, and take charge of all temporal affairs of the Church.—*Acts*, vi., 1-6; 1 *Timothy*, iii., 8-13. These should be elected to their office by ballot. One Deacon or more shall retire annually by rotation, but be eligible for re-election.

There shall be a Treasurer and Secretary elected annually from the Deacons by the Church.

IV. BUSINESS.

15. No Member will be allowed to vote at any Church meeting until connected with the Church Three months, except those transferred from other Churches. Members under Sixteen years of age not to vote.

16. At any meeting of the Church, One-third of the total voting Membership (not including Members absent for a length of time—see Rule 26) shall form a quorum; and Two-thirds of those present a majority, except in election of a Pastor, for which see Rule 13.

17. No Member shall introduce any business or matter for consideration until he has previously given a week's notice in writing of such business or matter to the Pastor and Deacons for their approval.

18. No Church meeting shall be held unless preceded by a meeting of the Deacons; and all meetings of both Deacons and Church shall be opened by prayer.—*Matthew*, xviii., 19, 20.

19. The Secretary shall enter in a minute book a faithful record of all business transacted at each Deacons' meeting, which shall be read and confirmed at the following meeting. The Secretary shall enter in a minute book a faithful record of all business transacted at each Church meeting, which shall be read and confirmed at the following meeting; and once a quarter or yearly, the Treasurer shall submit a balance-sheet duly audited by Two Members appointed by the Church.

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20. There shall be a yearly revision of the Church roll prior to the annual Church meeting, at which meeting a report of the yearly work and Treasurer's Financial Statement are to be presented, also a duplicate of the same forwarded to the Secretary of the Baptist Union One month prior to their annual meetings.

21. No special meeting shall be held without the approval of the Deacons; and all reports must be signed by the Chairman of the meeting at which they are passed.

Business of Church meetings shall be regarded as strictly private, and shall not be talked of outside in the hearing of those who are not members of the Church.

V. DISCIPLINE.

22. Matters of disagreement between members shall be dealt with according to the commandment of our Lord in *Matt.*, xviii., 15-17, and offences requiring the notice of the Church according to *Gal.*, vi., 1. Disorderly walk or immorality must be met by censure, suspension, or excommunication—*2 Thess.*, iii., 6—but shall first be investigated by the Pastor and Deacons; and if they think fit, a vote shall be taken on their evidence without discussion of details. It shall, however, be open to the Church, prior to the voting, to appoint a special committee of Four members with the Pastor to re-investigate and report to the Church, upon which a final vote shall be taken, but without discussion of details of evidence.—*1 Thess.*, v., 14; *2 Thess.*, iii., 6; *1 Cor.*, v., 11-13.

23. If any member fail in business, or become bankrupt, he shall neither vote at meetings nor hold office for Six months; his case shall be investigated by the Church, and if there is proof of fraudulency, his name shall be removed from the Church Roll; also, any member having failed and afterwards, by the blessing of God, acquired property, he is to demonstrate his integrity by paying all former deficiencies as early as possible.—*Romans*, xiii., 7, 8.

24. The Deacons shall investigate the case of any member who brings odium on the Church by debt of long standing, and if, after an interview with the debtor, proper arrangements cannot be made to remove the debt, the matter shall be brought before the Church, and such member suspended until all be paid.

25. It shall be deemed an offence for a member to be absent from the Lord's Table without known cause for more than Three consecutive months; and members so absenting themselves shall be interviewed by the Pastor or a Deacon, and if deemed necessary, the case laid before the Church.

26. Members removing to a distance will be expected to communicate with the Church through its Pastor at least once a year. Any member neglecting this will be written to, and in the event of no reply or an unsatisfactory one, the name shall be erased from the Church roll.—*1 John*, ii., 19.

27. Members under trial or suspension shall not attend Church business meetings or Communion.

VI. FELLOWSHIP.

28. The Lord's Supper shall be observed on the first Lord's day in each month, and at such other times as the Church may appoint—*1 Cor.*, xi., 26. At the close of the Communion the usual freewill offering shall be taken. Members must be supplied with Communion tickets for the year, and each month place one on the plate for registration.

29. Members of other Christian Churches, and those who truly love our Lord, shall always receive a hearty welcome at the Lord's table, without the privileges of membership, but must first apply to Pastor or Deacons.

30. A fellowship meeting for mutual intercourse and prayer for members of Churches and Christians only, shall be adopted, at which they shall be invited and encouraged to state their souls' experience for mutual benefit.—*Hebrews*, x., 25; *Acts*, ii., 42; *Malachi*, iii., 16.

31. A list of members and their addresses shall be kept by the Pastor or Secretary, which must be revised periodically, according to Rule 20.

VII. SUNDAY SCHOOL.

32. The Sunday School shall be considered the nursery of the Church, and under its care; the Pastor is to be President thereof *ex officio*; but the officers of the Church shall not have power to interfere with the working of the School except in cases of abuse, when, subject to the direction of the Church, they shall have power in the School as well as in all other institutions connected with the Church, but after seeking Divine guidance are to act in a spirit of love and conciliation.

The appointment of the Superintendent may be made by the teachers, but subject to the approval of the Church.

If the Superintendent be requested by Three-fourths of the teachers to give up his office, he shall do so within a month.

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VIII. BAPTIST UNION.

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33. The Council of the Baptist Union shall constitute a court of appeal for all cases of dispute of whatever kind which cannot be settled by the Church *inter se*; and their decision in all cases shall be final, and binding on all concerned—*Heb.*, xiii., 17.

34. According to the Rule of the Baptist Union, the Church shall send delegates to the Union meetings, to act on its behalf.

35. This Church pledges itself to give all the assistance in its power to the Union in carrying out its schemes for the extension and upholding of the Redeemer's Kingdom, but reserving to itself the right of independent action. It also agrees to give an annual subscription to the funds of the Union.

36. No part of the above Rules shall be altered without the consent of three-fourths of the members of the Union.

NOTE.—All Churches in association with the Baptist Union are expected to adopt the above Rules.

C.

1. Upon trust to permit the Church to erect on the land a Church building, Vestry, School-house, Manse, Offices, and other buildings, with all necessary appendages, in such form and at such period or periods as they may think proper and direct, provided that the Executive Council of the Union be previously satisfied that such work is advisable.

2. Upon trust to permit the said lands and premises to be used, occupied, and enjoyed as a place for the public worship of God according to the usages of the denomination commonly called Baptists, under the direction of the Church for the time being assembled for worship therein, and for the instruction of children and adults, and for the promotion of such other religious or philanthropic purposes, or for the residence of the Pastor or other such persons as the said Church shall from time to time direct.

And, under the direction of the said Church, to permit the said premises to be repaired, altered, enlarged, taken down, and wholly or partially rebuilt, or any other buildings to be erected on the said ground, so as to render the said premises better adapted for the accomplishment of the purposes aforesaid, provided that the Executive Council of the Union be previously satisfied that such work is advisable. And upon trust to permit any portion of the said lands to be used for Cemetery purposes.

3. And upon trust to permit the persons appointed for that purpose by the said Church to receive all moneys and subscriptions given or paid for the use of pews and sittings, or otherwise contributed for the purposes aforesaid, which moneys and subscriptions shall in the first place be applied in the discharge of all interest on borrowed moneys, premiums for insurance against fire, expenses of the said body corporate as trustees, and other claims properly payable thereout, and the residue thereof shall be applied for the maintenance of divine worship in the said premises and other the purposes of these presents, as the said Church shall from time to time direct.

4. And upon trust to permit such persons only to officiate in the said premises as stated Pastors as shall be of the denomination aforesaid and shall hold the doctrines set forth in Schedule (A.) to this Act, and shall (except as to the present Pastor) have been chosen by the said Church. And shall not permit to officiate in the said premises as a stated Pastor any person who shall be guilty of immoral conduct, or who shall cease to be of the denomination aforesaid, or who shall cease to hold the said doctrines, or who shall have been removed from his office by the said Church.

5. And upon trust to permit such occasional Ministers or other persons to officiate in the said premises as a stated Pastor shall appoint, or, if there be no Pastor, as the Deacons or Deacon thereof (unless the said Church shall otherwise direct) appoint.

6. And upon trust, with the approval of the Executive Council of the Union, to raise such sum or sums of money when and on such terms as shall be directed by the said Church by deposit of the title-deeds or otherwise.

7. And when and in such manner, and on such terms, and subject to such conditions as to title or otherwise as shall be directed by the said Church, and with the consent of the Executive Council of the Union, absolutely to sell the said premises or any part thereof, either together or in parcels, by public auction or private contract, or partly in each mode, or to exchange the said premises or any part thereof for other premises, or to make any other arrangement which may be considered advantageous, and in the said respective cases to assure the same accordingly.

8. And upon trust to stand possessed of the money which from time to time shall be received on any sale or exchange made in pursuance of these presents or otherwise upon trust after making provision for the payment of all charges upon the trust estate

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and of the expenses incurred by the said body corporate, to invest, lay out, or dispose of the same in such manner and for such purposes for the benefit of the said Church, and in accordance with the tenor of these presents, in the improvement of the trust property, and enlargement, repair, or building of the trust premises, and the purchase of other property or properties or any of them, or otherwise as shall be directed by the said Church.

9. And upon trust to demise the said trust estate, or any part or parts thereof, for such period, at such rent, and upon such terms and conditions as shall be directed by the said Church, or if there should be no Church, then as shall be directed by the Executive Council of the Union, and that the rent and other moneys arising therefrom shall be applicable in the manner prescribed by Clause Three of this Schedule with respect to the money therein mentioned, and that the reversion of the trust estate shall be subject to all the powers of sale and exchange, or other arrangement which may be considered advisable, and the directions and trusts relating thereto, as hereinbefore or hereinafter contained.

10. Provided always, that a receipt under the seal of the said body corporate and signed by Two members of the Executive Committee of the said body corporate for any mortgage, sale, exchange, rent, or other moneys payable in respect of the said trust premises, shall exonerate the persons taking the same from all liability to see to the application thereof, and that it shall not be incumbent on any mortgagee or purchaser or tenant of the said premises or any part thereof, or on any person taking the same in exchange, to enquire into the necessity or propriety of any such mortgage, sale, letting, or exchange, or its authorisation by these presents.

11. Provided also that (in addition to and without prejudice to the power hereinbefore contained), in case the said corporate body shall be required to pay any money for which it shall be liable in relation to the trusts in this Schedule contained, and the same shall not be duly provided by the said Church or otherwise than by such corporate body, it shall be lawful for the said corporate body, without the consent or direction of the said Church or any member thereof, after the expiration of Six calendar months' written notice from the Secretary of the said body corporate duly authorised in that behalf, requiring payment of such money, and stating the intention of the said corporate body in case of default to mortgage or sell the said premises as hereinafter mentioned, given to the then Pastor for the time being of the said Church if there shall be such Pastor, and to the Deacon if there shall be one and only one, or, if there shall be more than one Deacon, to at least Two Deacons for the time being of the said Church, or, if there shall be no such Deacon or Deacons, to at least two members of the Committee or other body for the time being (if any) appointed by the said Church to act instead of Deacons, and also affixed to the doors of the said Church building on Three successive *Sundays*, to mortgage or sell all or any part of the said trust premises when and in such a manner in all respects as the said corporate body shall think proper, and out of the proceeds thereof to pay all expenses of and incident to such mortgage or sale, and fully to reimburse and indemnify the said corporate body so liable, and then to dispose of the net residue thereof (if any) in such manner and for such religious purposes (not tending to the promulgation of doctrines inconsistent with those set forth in Schedule (A.) of this Act) as are provided in Clause Three of this Schedule. And it is hereby declared that it shall not be incumbent on any mortgagee or purchaser whose title shall be founded on this Clause to enquire into the necessity for or propriety of any such mortgage or sale, or as to the fact of such notice having been given aforesaid.

12. That every Assembly or Church meeting to be hereafter convened for directing or fulfilling any of the purposes mentioned in Clauses Six to Eleven of this Schedule inclusive shall be called by a notice of the object of such meeting, together with the day, hour, and place of holding such meeting: which notice shall be signed by the Pastor for the time being, or, in case of his neglect for Fourteen days, or refusal after request in writing made by Five members of the Church, or, in case of there being no Pastor, then by the same number of members, and be posted on the door of the Church building on at least Two successive *Sundays* immediately preceding the day on which such meeting shall be appointed to take place, and shall, if practicable, be read during some part of each of the public services held on the same Two *Sundays* on the trust premises. And that no direction shall be considered to have been given until such meeting shall have been called in the way prescribed, and the majority of the Church members present and voting at such meeting shall have passed a vote or votes in accordance with the proposed object, and presented a request in writing, under the signature of the Chairman of the meeting so held, to the said body corporate.

13. That only the members qualified under the provisions of Rules 15, 23, and 27 of Schedule (B.) shall be allowed to vote.

14. That the Chairman of every such meeting as aforesaid shall be the Pastor of the Church, or, in case of his refusal, absence, or incapacity, or of there being no

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Pastor, then a person chosen by the major part of the members present at the meeting ; and that the Chairman of such meeting shall have a deliberative vote, and in case of an equality of votes on any question, shall have a casting vote. A.D. 1888.

15. A statutory declaration by the Chairman of any such meeting as aforesaid shall be conclusive evidence that the required majority of the Church have given their consent to any matter hereinbefore referred to as requiring such consent as aforesaid.

16. That the administration of the affairs of the said Church shall not, except as herein specially directed, be in any manner affected.

17. Provided also, that if at the time of the execution of the conveyance of the land to the said body corporate, or at any time thereafter, there shall be no such Church as aforesaid formed and established in the district or place where such land is situate, the said body corporate shall, until such Church be formed or established as aforesaid, have power and authority to perform and do all things necessary for the carrying out of the trusts aforesaid as fully and effectually to all intents and purposes as if such Church existed and consented thereto, or directed the same to be done and performed.

18. Provided also, that if no such Church be formed within One year from the date hereof, or if the said Church shall be reduced to less than Four male members of Twenty-one years of age each, or be dissolved or dispersed and not be again formed within Six calendar months next thereafter, or if the said Church shall cease to hold regular public meetings every *Sunday* for a period of Six consecutive calendar months, then and in either of the said cases, upon trust, in the discretion of the said body corporate, to let, sell, or otherwise dispose of the said premises or any part thereof, and to deal with the net moneys received for or in respect of the same, in such manner and for such religious purposes (not tending to the promulgation of doctrines inconsistent with those set forth in Schedule (A.) to this Act) as shall be directed by the said body corporate.

19. And as to all personal property upon trust so far as practicable to invest the same in securities approved by law for trust moneys, and to apply the income resulting therefrom and from any other personal estate in such manner as the Executive Council of the Baptist Union in its uncontrolled discretion shall think fit.

