

New South Wales.



ANNO SEXTO

EDWARDI VII REGIS.

An Act to rescind all trusts existing in respect of or relating to certain real properties belonging to various respective Churches of Christ in the State of New South Wales set forth in Schedule B of this Act, and to substitute certain other trusts in lieu of the trusts rescinded, and to provide an efficient mode of dealing with such real properties, and to provide a scheme of association for the present and future Churches of Christ, whereby the said Churches of Christ coming within such association may be freed from disabilities attaching to their respective real properties by reason of the trusts relating to same. [Assented to, 20th November, 1906.]

WHEREAS, in the State of New South Wales, certain persons are members (as defined in section two of this Act) of congregations at various places in the said State, which said congregations are known as and designated "Churches of Christ": And whereas a number of

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the

Preamble.

Churches of Christ Property Management.

the said Churches of Christ have from time to time acquired real properties in the said State, which are now vested in various respective persons as trustees for and on behalf of the said respective Churches of Christ upon certain trusts: And whereas certain of the said Churches of Christ mentioned in Schedule B to this Act are desirous that the trusts relating to the respective real property acquired by them through their trustees should be repealed, and that henceforth the persons named as the trustees in the said Schedule B for each respective property as is therein described and set opposite to the names of such trustees shall respectively hold each respective property for the Church of Christ respectively named with them in such Schedule, upon the trusts, powers, and authorities hereinafter set forth and declared concerning the same, and that the said Churches of Christ may for the purposes of this Act be associated, and may style themselves "Churches of Christ," and may have the powers hereinafter set forth and declared under such association: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Churches of Christ Property Management Act, 1906."

Definitions.

2. In this Act, and for the purposes of this Act,—

"Church of Christ" shall mean the whole of the members whose names are for the time being on the roll of any particular congregation known or styled as a Church of Christ at any particular place in the State of New South Wales.

"Member" shall mean any person who, after public confession of his or her faith in the Lord Jesus Christ, and after repentance towards God, has been immersed into the name of the Father, Son, and Holy Spirit, and who, after such confession and immersion, shall have his or her name inserted and remaining upon the roll of persons belonging to any Church of Christ according to the custom and practice of such church.

"Officer" shall mean a duly enrolled member of a Church of Christ who shall in such church have been elected to the office or offices commonly known in the Churches of Christ as elder or deacon according to the custom of such church.

"Registrar" shall mean the person appointed to the office of Registrar at and by a duly convened meeting of the officers of the Churches of Christ associated under this Act.

Saving clause.

3. Nothing in this Act contained shall be held to affect the Government of any Church of Christ coming under the operation of this Act in any matter not expressly referred to in this Act.

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4. After the passing of this Act the officer or officers, or a majority of such officers, for the time being of any Church of Christ at any place in the State of New South Wales not originally associated by this Act, and not included in the scope and benefit of this Act, may convene, in the manner hereinafter provided, a special meeting of the members of the church of which he or they is or are the duly elected officer or officers, and at such meeting the members of such church shall elect one of their number present to be chairman of the said meeting, and any member present may at such special meeting propose a motion in the form set out in clause two of form one in Schedule A to this Act, which said motion shall be duly seconded, and after discussion being permitted thereon by the chairman, he shall put the motion to the vote of the members of such church present at such meeting, and the same shall be deemed carried if two-thirds of the members present and voting shall vote in favour of the said motion.

Steps to be taken by churches not originally associated to obtain benefits under this Act.

5. If the said motion shall be carried as aforesaid, the said chairman shall make a statutory declaration verifying the said motion in the form set forth in form one of Schedule A to this Act, and shall forthwith cause the said declaration to be sent by registered post to the registrar to be appointed under this Act, or, if there be at any time no such registrar, then to the secretary for the time being of the Church of Christ at Enmore, who shall at all times have all the powers and perform all the duties of registrar until a registrar is appointed as required by this Act.

Statutory declaration by chairman.

6. After the said declaration in the last preceding section mentioned shall have been received by the registrar (or by the secretary of the Church of Christ at Enmore, if there be no such registrar), the registrar (or the said secretary) shall convene, by written notice posted to the secretary of each and every Church of Christ associated under this Act, a special meeting of the officers of the Churches of Christ then associated under this Act, for the purpose of granting or refusing association under this Act, as the case may be, to the Church of Christ then not so associated and seeking such association as aforesaid.

Meeting of officers of associated churches.

7. At any such special meeting of the officers of all the Churches of Christ then associated under this Act, such officers as shall be present at such meeting shall elect one of their number to be chairman thereof, and such chairman shall, without requiring the same to be moved or seconded, thereupon submit to the said meeting of officers a motion to the effect of the motion set out in form two of Schedule A, and, after discussion thereon being permitted by the chairman of the said meeting, the said chairman shall put the said motion to the vote of the said meeting of officers, and the same shall be deemed carried if two-thirds of the officers present and voting shall vote in favour of the said motion.

Proceedings at meetings of officers of associated churches.

Certificate to be given.

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Appointment of
registrar.

8. For the purpose of giving effect to this Act, there shall be appointed, at a duly convened meeting of the officers of the Churches of Christ associated under this Act, a registrar, who shall keep all records of the association provided for by this Act, and sign all notices or certificates required to be signed or countersigned by him under this Act, and who shall act in such capacity until his successor is appointed by the officers of the Churches of Christ associated under this Act, at a duly convened meeting, and who shall convene all future meetings of officers of the Churches of Christ associated under this Act intended to be held to give effect to this Act.

Publication of
certificate under
section 7.

9. If the motion in section seven mentioned shall be carried as aforesaid, the said chairman shall give a certificate, countersigned by the said registrar, in the form set forth in form two of Schedule A to this Act, and the registrar shall forthwith cause a true copy of the said certificate to be published in the Government Gazette; and, from and after the date of the said publication, the said certificate shall be binding and conclusive on all members of the Church of Christ mentioned therein, and the Church of Christ so seeking to be associated shall, from and after the date of the said publication, be deemed duly associated with the Churches of Christ then already associated under this Act for the purposes of this Act, and shall be entitled to have and take the benefit of this Act in the matters herein mentioned.

Rescission of existing
trusts relating to
lands, &c., mentioned
in Schedule.

10. The respective trustee or trustees, named in Schedule B to this Act, shall, from and after the date of this Act, hold the respective lands and buildings standing in his or their respective name or names as trustee or trustees of the Church of Christ respectively named and mentioned in the said Schedule opposite to the name or names of any such trustee or trustees, freed and absolutely discharged of and from the trusts and equities heretofore declared or existing, in favour of the members of the said respective Church of Christ of which he or they is or are trustee or trustees, and shall thenceforth hold the same, subject to the provisions of this Act, and upon the trusts declared and set out in section fourteen of this Act, and with the powers therein and elsewhere in this Act expressed.

Rescission of trusts
relating to lands, &c.,
of churches hereafter
becoming associated.

11. The trustees of any Church of Christ hereafter becoming declared associated in the manner hereinbefore provided shall, from and after the date of the publication of the certificate mentioned in section nine of this Act, hold the lands and buildings standing in their names as trustees for such Church of Christ freed and absolutely discharged of and from the trusts and equities declared or existing in favour of the members of such Church of Christ for whom they have theretofore held the said lands and buildings in trust, and shall thenceforth hold the same subject to the provisions of this Act, and upon trusts declared and set out in section fourteen subsections (a), (b), and (c) of this Act, and with the powers therein and elsewhere in this Act expressed.

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12. Nothing provided in this Act shall be taken to affect any legal or equitable mortgage, or any conveyance or contract made before the passing of this Act by the trustee or trustees of any Church of Christ associated or becoming associated under this Act with any person or persons for valuable consideration and bona fide, without notice of the trusts affecting the lands and buildings purported to have been mortgaged, conveyed, or otherwise become the subject matter of any contract as aforesaid. Saving as to certain rights existing.

13. From and after the date of this Act, the trustees of the lands and buildings of the Churches of Christ, now named in the said Schedule B to this Act, and of any other Church of Christ hereafter coming within the operation of this Act shall and must, within three months from the date on which such church shall have come within such operation, make and register a declaration of trust in the form set forth in form three of Schedule A to this Act, and such registration shall be effected either in the office for the registration of deeds or in the Land Titles Office according to the title existing in respect of such lands and buildings, and upon such registration as aforesaid the Registrar-General may mark any deeds or documents in his possession prior to the date before mentioned, or which shall thereafter come into his possession relating to the said trusts as being subject to such trusts, and may, on such proof being furnished as he shall require, remove any caveat entered by him or any other person. Trusts to be registered.

14. From and after the date of this Act, as provided in section ten, or the date of the publication of the certificate, as provided in section eleven, the trustees of the lands of every Church of Christ associated in the manner herein prescribed shall hold the lands and buildings standing in their names as such trustees freed and discharged as herein provided of and from all trusts and equities affecting the same, and shall thenceforth hold the same for and on behalf of the Church of Christ to which those lands belonged, and for which they, the said trustees, have theretofore held the same, but subject to the following trusts and with the following powers, that is to say:— Trusts substituted for those rescinded.

- (a) Upon trust at all times thereafter to permit the lands and buildings of which they are trustees as aforesaid to be used for the purpose of the worship of God in public by the members for the time being of the Church of Christ at the place where the lands and buildings are situated according to the faith and doctrine of the Churches of Christ associated under this Act in the State of New South Wales. And, furthermore, to permit the said buildings to be used for the instruction of children and adults, and for the promotion of religious and philanthropic objects and purposes, and for such other purposes as the officers of the said church, or a majority of them, shall from time to time decide, and, under

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under the direction of a special meeting or special meetings of the said church, convened in the manner hereinafter provided, to permit the said buildings to be altered, enlarged, repaired, taken down, and wholly or partially rebuilt, and also to permit any other building or buildings to be erected upon the said lands for the purposes of the said Church of Christ.

(b) Upon further trust, by and at the direction of a two-thirds majority vote of the members of the said church present, and voting at a special meeting convened as herein provided, and held for that purpose, to raise such sum or sums of money as the said special meeting by such majority shall direct, by mortgage over the lands and buildings of the said church, or over any portion thereof; and upon trust, at the like direction, to sell or lease the whole or any part of the said lands and buildings upon such terms and conditions as the said members shall, at such special meeting by a two-thirds majority of those present and voting, decide.

(c) Upon further trust, from time to time, to apply the moneys coming to their hands under any of the trusts declared by this Act in and towards the purposes of the administration of the said church, as directed by the two-thirds majority vote of any such meeting as aforesaid.

Appointment of new trustees.

15. (1) The powers of appointing new trustees, conferred by section six (1) of the Trustee Act of 1898, when and so far as any of the events therein provided for may happen in connection with the trusts referred to in this Act shall apply to the said trusts.

(2) Further, the surviving or continuing trustee or trustees of any Churches of Christ associated under this Act, or of any other Church of Christ hereafter coming within the operation of this Act, shall, at any time hereafter, when requested by two-thirds of the members of the Church of Christ for which he or they is or are trustee or trustees present, and voting at a special meeting convened in accordance with the provisions of this Act, and for that purpose appoint as new trustee or trustees for the said church any person or persons who shall have been elected to the position of trustee or trustees by a two-thirds majority of members present, and voting at such special meeting as aforesaid.

(3) In the event of the surviving or continuing trustee dying or refusing to make such appointment, or becoming incapable of making such appointment, or leaving the Commonwealth of Australia, or whose address shall become unknown, then such person or persons as shall have been elected to the position of trustee or trustees as aforesaid shall be deemed duly appointed, without any instrument under the hand of the former trustees so dying, refusing, becoming incapable of, or leaving, or whose address shall become unknown as aforesaid.

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16. (1) So often as any new trustee or new trustees is or are appointed in accordance with section fifteen, subsections one, two, or three of this Act, all the property (if any) for the time being, vested in the surviving or continuing trustee or trustees, or in the executor or administrator of any trustees, or in the Chief Justice or senior Puisne Judge for the time being, by virtue of the Wills, Probate, and Administration Act of 1898, or any Act consolidating or amending the same, and (subject to the trust in respect of which the new trustee or new trustees is or are appointed) shall, by virtue of the instrument which created the trusts, and by virtue of this Act, and without other assurance in the law, become and be conveyed, assigned, and transferred so that the same shall thereupon become and be legally and effectually vested in such new trustee or new trustees, either solely or jointly with the surviving or continuing trustee or trustees, as the case may require.

Vesting of estate in newly appointed trustees.

(2) Every new trustee to be appointed as aforesaid shall have the same powers, authorities, and discretions, and shall, in all respects, act as if he had been originally nominated a trustee by the instrument creating the trust.

17. A special meeting of the members of any Church of Christ coming within the operation of this Act, duly convened in accordance with the provisions of this Act, may remove any trustee or trustees, provided that two-thirds of the members present and voting at such meeting consent to the said removal.

Removal of trustees.

18. After every appointment, retirement, or removal of a trustee or trustees as aforesaid, a memorandum in writing setting forth the names in full of every trustee so appointed, retired, or removed, shall be signed by the chairman of the special meeting of the Church of Christ which dealt with the appointment, retirement, or removal of a trustee or trustees as aforesaid, and shall be published by him within a period of three months from the date of such appointment, retirement, or removal in the Government Gazette; and the production of a copy of such Gazette shall be conclusive evidence that the person or persons named in such memorandum has or have been appointed, or has or have retired from, or has or have been removed from the position of trustee of the Church of Christ named in such memorandum.

Publication of memorandum certifying change of trustees.

19. Upon any sale, or mortgage, or lease by any trustee or trustees of any Church of Christ coming within the operation of this Act, the purchaser, mortgagee, or lessee shall be exonerated from seeing to the application of the moneys paid by him to such trustee or trustees, and from all liability in respect of the same, upon having produced to him a statutory declaration of the chairman of a special meeting convened in the manner hereinafter directed, showing that at such special meeting it was resolved by a two-thirds majority of the members of the said church present and voting at such meeting that

Indemnity to purchasers.

the

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the sale, mortgage, or lease should be duly authorised, and that the deed of conveyance, mortgage, lease, or other instrument prepared in pursuance thereof properly evidences and carries out the desire of the said meeting, and that the person or persons executing the same is or are the trustee or trustees of the Church of Christ so desiring to deal with the property.

Special meeting—
how convened.

20. A special meeting of the members of a Church of Christ coming within the operation of this Act, required to be convened for all or any of the purposes of this Act, shall be convened by the officer or officers for the time being of such Church of Christ, or by him or them, at the request of not less than ten members of the said church, by causing to be affixed to some prominent and conspicuous part of the place of worship used by the members of the said church for the purposes of worship a notice in writing, specifying the time and place of such meeting, and the nature of the business to be then and there discussed, at least two Sundays immediately preceding the date for which such special meeting shall be called, and by causing a copy of the said notice to be inserted in a daily or weekly newspaper circulating in the district in which the said place of worship is situated at least once in each of the two weeks immediately preceding the date of the said meeting.

Persons entitled to
vote at special
meetings.

21. For the purposes of this Act only such male or female members of a Church of Christ coming within the operation of this Act whose names shall, from time to time, be and remain on the roll of such Church of Christ according to the custom and practice of such church shall be allowed to vote in respect of the matters affected by and provided for in this Act: Provided always that no member under the age of twenty-one years shall be entitled to vote in respect of the matters affected by and provided for in this Act.

Fees payable in
future by churches
becoming associated
under this Act.

22. From and after the passing of this Act any Church of Christ applying to become associated hereunder shall, upon forwarding the declaration mentioned in section five of this Act, forward to the registrar or other person for the time being filling the office of registrar a statutory declaration showing the number of members on the roll of the Church of Christ applying for association, together with the sum of one shilling for every such member as a capitation fee.

All sums received from time to time under this Act by way of capitation fees shall be applied in and to the administration of this Act, and to such other purposes as the officers of the Churches of Christ associated under this Act shall by a two-thirds majority at any duly convened meeting decide.

SCHEDULES.

Churches of Christ Property Management.

SCHEDULES.

SCHEDULE A.

FORM I.

Statutory declaration under section five of the Churches of Christ Property Management Act, 1906.

I, A.B., of _____ in the State of New South Wales, do hereby solemnly and sincerely declare as follows :—

1. At a special meeting of the members of the Church of Christ at _____, in the said State, duly convened in accordance with section twenty of the above-named Act, I was elected chairman of such meeting.

2. At such meeting the following motion was proposed by Mr. C. D. and seconded by Mr. E. F., namely :—

That, in the opinion of this meeting, it is desirable that the Church of Christ at aforesaid shall associate itself with the Churches of Christ now already associated under the Churches of Christ Property Management Act, 1906, for the purpose of taking the benefit of such Act.

3. The said motion was put by me to the vote of the members of such Church present at such meeting, and was carried by the vote of at least two-thirds of the members present and voting at the said meeting as required by section four of the above Act.

And I make this solemn declaration as to the matters aforesaid, conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900.

Made and declared at _____ this _____ day of _____ 1900, before me,
A.B.
J.P.

FORM 2.

Certificate under section seven of the Churches of Christ Property Management Act, 1906.

At a special meeting, to which all the officers of the Churches of Christ now associated under the above Act were duly summoned in accordance with section six of the above Act, I was elected chairman of the meeting by such of the officers as were then present, and, in accordance with section seven, I submitted to the said meeting of officers, the following motion :—

“That, in the opinion of this meeting, it is desirable that the Church of Christ at [name of town or district], in the State of New South Wales, being the Church of Christ mentioned in the statutory declaration of _____, dated the _____ day of _____, 190____, should be declared by this meeting associated with the Churches of Christ now associated for the purpose of taking the benefit of the Churches of Christ Property Management Act, 1906.”

And I certify that the said motion was duly carried, and I thereupon declared the said Church of Christ at _____ duly associated according to the said Act.

A.B.,
Chairman.

C.D.,
Registrar under the above Act.

FORM

Churches of Christ Property Management.

FORM 3.

Declaration of trust under section thirteen of the Churches of Christ Property Management Act, 1906.

We [*or I*, as the case may be], of _____, in the State of New South Wales _____, do hereby declare that we are [*or I am*] the trustees [*or trustee*] of the Church of Christ, at _____, in the State of New South Wales, and that such Church of Christ is duly associated under the above Act, and that we [*or I*] hold all real estate belonging to the said Church of Christ, as more particularly described and set forth in the Schedule of lands described in the First Schedule hereto, and in the deeds and documents enumerated and set forth in the Second Schedule hereto, upon the trusts set forth and declared in and subject to the provisions of the Churches of Christ Property Management Act, 1906, relating to real estate of the respective Churches of Christ associated under the said Act.

As witness our hands this _____ day of _____, 190 _____.

THE FIRST SCHEDULE REFERRED TO.

All that piece or parcel of land [*here set out the different parcels*].

THE SECOND SCHEDULE REFERRED TO.

[*Here set out the various title deeds in the possession of the trustees.*]

Signed by the said _____ in the presence of _____

SCHEDULE.

SCHEDULE B.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Campbell-street, Sydney.	City Temple, Campbell- street, Sydney.	Joseph Stimson George Lillie Frederick Newby Edmund Gole John Francis Ashwood	Glebe Waterloo Paddington Enmore Sydney	Agent Ex-Civil Servant Carrier Accountant General merchant	All that parcel of land situated in the parish of Saint Lawrence, city of Sydney, county of Cumberland, and State of New South Wales, having a frontage of forty-three feet six inches to Campbell-street, and a frontage of thirty-seven feet eight inches to Blackburn-street by varying depths and bearings, as more particularly described in an indenture of conveyance dated the twenty-first day of August, one thousand eight hundred and ninety-five, registered number nine hundred and sixty-eight, book five hundred and sixty-three, from Alfred Rofe (therein described) to the said trustees and William Walker and Charles Grocock (both therein described, and both now deceased).
Metropolitan Road, Enmore.	"Tabernacle," Metro- politan Road, Enmore	John Kingsbury James Hunter John Bardsley	Enmore Dulwich Hill Stanmore	Draper Gentleman Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing twenty-nine and a quarter perches, being lots ninety-nine to one hundred and two inclusive, section two, as shown on a plan deposited at the Land Titles Office, Sydney, numbered one thousand one hundred and sixty-six, and being the whole of the land described in certificate of title dated the fourth day of April, one thousand eight hundred and eighty-four, registered volume six hundred and ninety-two, folio thirty-four.

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SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Illawarra Road, Marrickville.	"Christians' Chapel," Illawarra Road, Marrickville.	John Hindle Charles Alfred Rofe Robert Miller James Hunter	Sydney Sydney Marrickville Dulwich Hill	Merchant Clerk Labourer Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing eighteen perches, being lots four, five, and six, as shown on a plan deposited in the Land Titles Office, Sydney, numbered two thousand five hundred and ninety-five, and being the whole of the land described in certificate of title dated the sixteenth day of January, one thousand eight hundred and ninety-two, registered volume one thousand and forty, folio two hundred and twelve.
Joseph-street, Rookwood.	"Christians' Chapel," Joseph-street, Rookwood.	Edwin Andrews George Stimson Joseph Barlow	Rookwood Fairfield London, England	Monumental mason Commission agent Gentleman	All that parcel of land situated in the parish of Liberty Plains, county of Cumberland, and State of New South Wales, containing thirteen and three-quarter perches, and being the whole of the land described in certificate of title dated the eleventh day of October, one thousand eight hundred and eighty-six, registered volume eight hundred and eight, folio seventy-nine.
Paddington-street, Paddington.	"Tabernacle," Paddington-street, Paddington.	Richard Henry Fancourt George Parker Jones Arthur William Shearston James Prince Alexander Chapple Thomas Gabriel Alexander Bagley	Woollahra Paddington Waverley Woollahra Woollahra	Gentleman Builder Warehouseman Draper Evangelist	All that parcel of land situated at Paddington, parish of Alexandria, in the county of Cumberland, and State of New South Wales, containing twenty-three perches, being the whole of the land described in certificate of title, dated the eleventh day of December, one thousand eight hundred and seventy-five, registered volume two hundred and forty-three, folio sixty-two.

SCHEDULE B—*continued.*

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
C Cannon-street, Petersham.	"Tabernacle," Cannon- street, Petersham.	James Hunter John Bardsley William James Edwards John Kingsbury Samuel Denford	Dulwich Hill Stanmore Enmore Enmore Petersham	Gentleman Gentleman Bootmaker Draper Bootmaker	All that parcel of land situated at Stanmore, parish of Petersham, county of Cumberland, and State of New South Wales, containing seventeen and a half perches, being lots eight and nine of section "M," as shown on a plan deposited at the Land Titles Office, Sydney, numbered two thousand nine hundred and ninety-two, and being the whole of the land described in certificate of title, dated the twenty-second day of April, one thousand nine hundred and one, registered volume one thousand three hundred and fifty, folio one hundred and forty-eight.
Dumaresque and Pitt streets, Chatham, Man- ning River.	"Christians' Chapel," Dumaresque and Pitt streets, Chatham, Manning River.	George Brown Newby John Newby, the younger James Collins Henry Edwards Amos Saxby George Scrivner	Dumaresque Island, Man- ning River. Chatham Dumaresque Island, Man- ning River. Cundletown, Manning River. Chatham Taree	Farmer Blacksmith Farmer Bootmaker Farmer Farmer	Firstly: All that parcel of land situated at Chatham, parish not named, county of Macquarie, and State of New South Wales, being portion of section thirty-five of the township of Chatham, and being the whole of the land described in conveyance dated the fifteenth day of August, one thousand eight hundred and seventy-one, registered number four hundred and twenty-one, book one hundred and twenty-six, from William Marshall to the said trustees and one John Green (therein described) and now deceased. Secondly: All that parcel of land situated at Taree, in the State of New South Wales, containing two roods, and being the land described in indenture of conveyance dated the twenty-sixth day of September, one thousand eight hundred and ninety-two, registered number nine hundred and one, book five hundred.

*Churches of Christ Property Management.*SCHEDULE B—*continued.*

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Conway-street, Lismore.	"Tabernacle," Conway-street, Lismore.	James Peter Field Walker Frederick Ridgway Furlonger James Wotherspoon	Lismore Lismore Lismore	Printer Law clerk Builder	All that parcel of land situated at Lismore, parish of Lismore, county of Rous, and State of New South Wales, containing nineteen and a half perches, being part of allotment eleven of section eight in the town of Lismore, and being the whole of the land described in conveyance dated the fourteenth day of July, one thousand nine hundred and four, registered number four hundred and sixteen, book seven hundred and sixty-three, from George Frederick Cottey and Charles Albert Barham (therein described) to the said trustees.
Junction-street, Merewether.	"Christians' Chapel," Junction-street, Merewether.	Charles Nisbet Joseph Bright James Russell Joseph Fraser George Beady	Merewether Merewether Merewether Merewether Merewether	Miner Railway employee Storekeeper Miner Gentleman	All that parcel of land situated in the parish of Newcastle, county of Northumberland, and State of New South Wales, containing fifteen and a quarter perches, being lot eleven A of section seven of Burwood township, as per plan prepared by Mr. Licensed Surveyor Reuss, junior, in the year one thousand eight hundred and seventy-six, being the land described in indenture of assignment of leasehold, dated the fourteenth day of May, one thousand eight hundred and ninety-eight, registered number nine hundred and eight, book six hundred and twenty-one, from Edward Taylor to the said trustees.

[1s.]

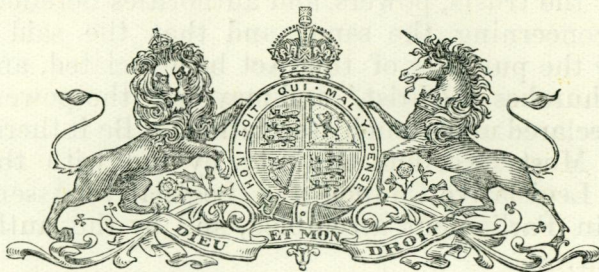
By Authority: WILLIAM APPLEGATE GULLICK, Government Printer, Sydney, 1906.

I Certify that this PRIVATE BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 14th November, 1906. }*

JOHN J. CAIVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXTO

EDWARDI VII REGIS.

An Act to rescind all trusts existing in respect of or relating to certain real properties belonging to various respective Churches of Christ in the State of New South Wales set forth in Schedule B of this Act, and to substitute certain other trusts in lieu of the trusts rescinded, and to provide an efficient mode of dealing with such real properties, and to provide a scheme of association for the present and future Churches of Christ, whereby the said Churches of Christ coming within such association may be freed from disabilities attaching to their respective real properties by reason of the trusts relating to same. [Assented to, 20th November, 1906.]

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the said Churches of Christ have from time to time acquired real properties in the said State, which are now vested in various respective persons as trustees for and on behalf of the said respective Churches of Christ upon certain trusts: And whereas certain of the said Churches of Christ mentioned in Schedule B to this Act are desirous that the trusts relating to the respective real property acquired by them through their trustees should be repealed, and that henceforth the persons named as the trustees in the said Schedule B for each respective property as is therein described and set opposite to the names of such trustees shall respectively hold each respective property for the Church of Christ respectively named with them in such Schedule, upon the trusts, powers, and authorities hereinafter set forth and declared concerning the same, and that the said Churches of Christ may for the purposes of this Act be associated, and may style themselves "Churches of Christ," and may have the powers hereinafter set forth and declared under such association: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Churches of Christ Property Management Act, 1906."

Definitions.

2. In this Act, and for the purposes of this Act,—

"Church of Christ" shall mean the whole of the members whose names are for the time being on the roll of any particular congregation known or styled as a Church of Christ at any particular place in the State of New South Wales.

"Member" shall mean any person who, after public confession of his or her faith in the Lord Jesus Christ, and after repentance towards God, has been immersed into the name of the Father, Son, and Holy Spirit, and who, after such confession and immersion, shall have his or her name inserted and remaining upon the roll of persons belonging to any Church of Christ according to the custom and practice of such church.

"Officer" shall mean a duly enrolled member of a Church of Christ who shall in such church have been elected to the office or offices commonly known in the Churches of Christ as elder or deacon according to the custom of such church.

"Registrar" shall mean the person appointed to the office of Registrar at and by a duly convened meeting of the officers of the Churches of Christ associated under this Act.

Saving clause.

3. Nothing in this Act contained shall be held to affect the Government of any Church of Christ coming under the operation of this Act in any matter not expressly referred to in this Act.

Churches of Christ Property Management.

4. After the passing of this Act the officer or officers, or a majority of such officers, for the time being of any Church of Christ at any place in the State of New South Wales not originally associated by this Act, and not included in the scope and benefit of this Act, may convene, in the manner hereinafter provided, a special meeting of the members of the church of which he or they is or are the duly elected officer or officers, and at such meeting the members of such church shall elect one of their number present to be chairman of the said meeting, and any member present may at such special meeting propose a motion in the form set out in clause two of form one in Schedule A to this Act, which said motion shall be duly seconded, and after discussion being permitted thereon by the chairman, he shall put the motion to the vote of the members of such church present at such meeting, and the same shall be deemed carried if two-thirds of the members present and voting shall vote in favour of the said motion.

Steps to be taken by churches not originally associated to obtain benefits under this Act.

5. If the said motion shall be carried as aforesaid, the said chairman shall make a statutory declaration verifying the said motion in the form set forth in form one of Schedule A to this Act, and shall forthwith cause the said declaration to be sent by registered post to the registrar to be appointed under this Act, or, if there be at any time no such registrar, then to the secretary for the time being of the Church of Christ at Enmore, who shall at all times have all the powers and perform all the duties of registrar until a registrar is appointed as required by this Act.

Statutory declaration by chairman.

6. After the said declaration in the last preceding section mentioned shall have been received by the registrar (or by the secretary of the Church of Christ at Enmore, if there be no such registrar), the registrar (or the said secretary) shall convene, by written notice posted to the secretary of each and every Church of Christ associated under this Act, a special meeting of the officers of the Churches of Christ then associated under this Act, for the purpose of granting or refusing association under this Act, as the case may be, to the Church of Christ then not so associated and seeking such association as aforesaid.

Meeting of officers of associated churches.

7. At any such special meeting of the officers of all the Churches of Christ then associated under this Act, such officers as shall be present at such meeting shall elect one of their number to be chairman thereof, and such chairman shall, without requiring the same to be moved or seconded, thereupon submit to the said meeting of officers a motion to the effect of the motion set out in form two of Schedule A, and, after discussion thereon being permitted by the chairman of the said meeting, the said chairman shall put the said motion to the vote of the said meeting of officers, and the same shall be deemed carried if two-thirds of the officers present and voting shall vote in favour of the said motion.

Proceedings at meetings of officers of associated churches.

Certificate to be given.

Churches of Christ Property Management.

Appointment of
registrar.

8. For the purpose of giving effect to this Act, there shall be appointed, at a duly convened meeting of the officers of the Churches of Christ associated under this Act, a registrar, who shall keep all records of the association provided for by this Act, and sign all notices or certificates required to be signed or countersigned by him under this Act, and who shall act in such capacity until his successor is appointed by the officers of the Churches of Christ associated under this Act, at a duly convened meeting, and who shall convene all future meetings of officers of the Churches of Christ associated under this Act intended to be held to give effect to this Act.

Publication of
certificate under
section 7.

9. If the motion in section seven mentioned shall be carried as aforesaid, the said chairman shall give a certificate, countersigned by the said registrar, in the form set forth in form two of Schedule A to this Act, and the registrar shall forthwith cause a true copy of the said certificate to be published in the Government Gazette; and, from and after the date of the said publication, the said certificate shall be binding and conclusive on all members of the Church of Christ mentioned therein, and the Church of Christ so seeking to be associated shall, from and after the date of the said publication, be deemed duly associated with the Churches of Christ then already associated under this Act for the purposes of this Act, and shall be entitled to have and take the benefit of this Act in the matters herein mentioned.

Rescission of existing
trusts relating to
lands, &c., mentioned
in Schedule.

10. The respective trustee or trustees, named in Schedule B to this Act, shall, from and after the date of this Act, hold the respective lands and buildings standing in his or their respective name or names as trustee or trustees of the Church of Christ respectively named and mentioned in the said Schedule opposite to the name or names of any such trustee or trustees, freed and absolutely discharged of and from the trusts and equities heretofore declared or existing, in favour of the members of the said respective Church of Christ of which he or they is or are trustee or trustees, and shall thenceforth hold the same, subject to the provisions of this Act, and upon the trusts declared and set out in section fourteen of this Act, and with the powers therein and elsewhere in this Act expressed.

Rescission of trusts
relating to lands, &c.,
of churches hereafter
becoming associated

11. The trustees of any Church of Christ hereafter becoming declared associated in the manner hereinbefore provided shall, from and after the date of the publication of the certificate mentioned in section nine of this Act, hold the lands and buildings standing in their names as trustees for such Church of Christ freed and absolutely discharged of and from the trusts and equities declared or existing in favour of the members of such Church of Christ for whom they have theretofore held the said lands and buildings in trust, and shall thenceforth hold the same subject to the provisions of this Act, and upon trusts declared and set out in section fourteen subsections (a), (b), and (c) of this Act, and with the powers therein and elsewhere in this Act expressed.

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12. Nothing provided in this Act shall be taken to affect any legal or equitable mortgage, or any conveyance or contract made before the passing of this Act by the trustee or trustees of any Church of Christ associated or becoming associated under this Act with any person or persons for valuable consideration and bona fide, without notice of the trusts affecting the lands and buildings purported to have been mortgaged, conveyed, or otherwise become the subject matter of any contract as aforesaid. Saving as to certain rights existing.

13. From and after the date of this Act, the trustees of the lands and buildings of the Churches of Christ, now named in the said Schedule B to this Act, and of any other Church of Christ hereafter coming within the operation of this Act shall and must, within three months from the date on which such church shall have come within such operation, make and register a declaration of trust in the form set forth in form three of Schedule A to this Act, and such registration shall be effected either in the office for the registration of deeds or in the Land Titles Office according to the title existing in respect of such lands and buildings, and upon such registration as aforesaid the Registrar-General may mark any deeds or documents in his possession prior to the date before mentioned, or which shall thereafter come into his possession relating to the said trusts as being subject to such trusts, and may, on such proof being furnished as he shall require, remove any caveat entered by him or any other person. Trusts to be registered.

14. From and after the date of this Act, as provided in section ten, or the date of the publication of the certificate, as provided in section eleven, the trustees of the lands of every Church of Christ associated in the manner herein prescribed shall hold the lands and buildings standing in their names as such trustees freed and discharged as herein provided of and from all trusts and equities affecting the same, and shall thenceforth hold the same for and on behalf of the Church of Christ to which those lands belonged, and for which they, the said trustees, have theretofore held the same, but subject to the following trusts and with the following powers, that is to say:— Trusts substituted for those rescinded

- (a) Upon trust at all times thereafter to permit the lands and buildings of which they are trustees as aforesaid to be used for the purpose of the worship of God in public by the members for the time being of the Church of Christ at the place where the lands and buildings are situated according to the faith and doctrine of the Churches of Christ associated under this Act in the State of New South Wales. And, furthermore, to permit the said buildings to be used for the instruction of children and adults, and for the promotion of religious and philanthropic objects and purposes, and for such other purposes as the officers of the said church, or a majority of them, shall from time to time decide, and, under

Churches of Christ Property Management.

under the direction of a special meeting or special meetings of the said church, convened in the manner hereinafter provided, to permit the said buildings to be altered, enlarged, repaired, taken down, and wholly or partially rebuilt, and also to permit any other building or buildings to be erected upon the said lands for the purposes of the said Church of Christ.

- (b) Upon further trust, by and at the direction of a two-thirds majority vote of the members of the said church present, and voting at a special meeting convened as herein provided, and held for that purpose, to raise such sum or sums of money as the said special meeting by such majority shall direct, by mortgage over the lands and buildings of the said church, or over any portion thereof; and upon trust, at the like direction, to sell or lease the whole or any part of the said lands and buildings upon such terms and conditions as the said members shall, at such special meeting by a two-thirds majority of those present and voting, decide.
- (c) Upon further trust, from time to time, to apply the moneys coming to their hands under any of the trusts declared by this Act in and towards the purposes of the administration of the said church, as directed by the two-thirds majority vote of any such meeting as aforesaid.

Appointment of new trustees.

15. (1) The powers of appointing new trustees, conferred by section six (1) of the Trustee Act of 1898, when and so far as any of the events therein provided for may happen in connection with the trusts referred to in this Act shall apply to the said trusts.

(2) Further, the surviving or continuing trustee or trustees of any Churches of Christ associated under this Act, or of any other Church of Christ hereafter coming within the operation of this Act, shall, at any time hereafter, when requested by two-thirds of the members of the Church of Christ for which he or they is or are trustee or trustees present, and voting at a special meeting convened in accordance with the provisions of this Act, and for that purpose appoint as new trustee or trustees for the said church any person or persons who shall have been elected to the position of trustee or trustees by a two-thirds majority of members present, and voting at such special meeting as aforesaid.

(3) In the event of the surviving or continuing trustee dying or refusing to make such appointment, or becoming incapable of making such appointment, or leaving the Commonwealth of Australia, or whose address shall become unknown, then such person or persons as shall have been elected to the position of trustee or trustees as aforesaid shall be deemed duly appointed, without any instrument under the hand of the former trustees so dying, refusing, becoming incapable of, or leaving, or whose address shall become unknown as aforesaid.

Churches of Christ Property Management.

16. (1) So often as any new trustee or new trustees is or are appointed in accordance with section fifteen, subsections one, two, or three of this Act, all the property (if any) for the time being, vested in the surviving or continuing trustee or trustees, or in the executor or administrator of any trustees, or in the Chief Justice or senior Puisne Judge for the time being, by virtue of the Wills, Probate, and Administration Act of 1898, or any Act consolidating or amending the same, and (subject to the trust in respect of which the new trustee or new trustees is or are appointed) shall, by virtue of the instrument which created the trusts, and by virtue of this Act, and without other assurance in the law, become and be conveyed, assigned, and transferred so that the same shall thereupon become and be legally and effectually vested in such new trustee or new trustees, either solely or jointly with the surviving or continuing trustee or trustees, as the case may require.

Vesting of estate in newly appointed trustees.

(2) Every new trustee to be appointed as aforesaid shall have the same powers, authorities, and discretions, and shall, in all respects, act as if he had been originally nominated a trustee by the instrument creating the trust.

17. A special meeting of the members of any Church of Christ coming within the operation of this Act, duly convened in accordance with the provisions of this Act, may remove any trustee or trustees, provided that two-thirds of the members present and voting at such meeting consent to the said removal.

Removal of trustees.

18. After every appointment, retirement, or removal of a trustee or trustees as aforesaid, a memorandum in writing setting forth the names in full of every trustee so appointed, retired, or removed, shall be signed by the chairman of the special meeting of the Church of Christ which dealt with the appointment, retirement, or removal of a trustee or trustees as aforesaid, and shall be published by him within a period of three months from the date of such appointment, retirement, or removal in the Government Gazette; and the production of a copy of such Gazette shall be conclusive evidence that the person or persons named in such memorandum has or have been appointed, or has or have retired from, or has or have been removed from the position of trustee of the Church of Christ named in such memorandum.

Publication of memorandum certifying change of trustees.

19. Upon any sale, or mortgage, or lease by any trustee or trustees of any Church of Christ coming within the operation of this Act, the purchaser, mortgagee, or lessee shall be exonerated from seeing to the application of the moneys paid by him to such trustee or trustees, and from all liability in respect of the same, upon having produced to him a statutory declaration of the chairman of a special meeting convened in the manner hereinafter directed, showing that at such special meeting it was resolved by a two-thirds majority of the members of the said church present and voting at such meeting that the

Indemnity to purchasers.

Churches of Christ Property Management.

the sale, mortgage, or lease should be duly authorised, and that the deed of conveyance, mortgage, lease, or other instrument prepared in pursuance thereof properly evidences and carries out the desire of the said meeting, and that the person or persons executing the same is or are the trustee or trustees of the Church of Christ so desiring to deal with the property.

Special meeting—
how convened.

20. A special meeting of the members of a Church of Christ coming within the operation of this Act, required to be convened for all or any of the purposes of this Act, shall be convened by the officer or officers for the time being of such Church of Christ, or by him or them, at the request of not less than ten members of the said church, by causing to be affixed to some prominent and conspicuous part of the place of worship used by the members of the said church for the purposes of worship a notice in writing, specifying the time and place of such meeting, and the nature of the business to be then and there discussed, at least two Sundays immediately preceding the date for which such special meeting shall be called, and by causing a copy of the said notice to be inserted in a daily or weekly newspaper circulating in the district in which the said place of worship is situated at least once in each of the two weeks immediately preceding the date of the said meeting.

Persons entitled to
vote at special
meetings.

21. For the purposes of this Act only such male or female members of a Church of Christ coming within the operation of this Act whose names shall, from time to time, be and remain on the roll of such Church of Christ according to the custom and practice of such church shall be allowed to vote in respect of the matters affected by and provided for in this Act: Provided always that no member under the age of twenty-one years shall be entitled to vote in respect of the matters affected by and provided for in this Act.

Fees payable in
future by churches
becoming associated
under this Act.

22. From and after the passing of this Act any Church of Christ applying to become associated hereunder shall, upon forwarding the declaration mentioned in section five of this Act, forward to the registrar or other person for the time being filling the office of registrar a statutory declaration showing the number of members on the roll of the Church of Christ applying for association, together with the sum of one shilling for every such member as a capitation fee.

All sums received from time to time under this Act by way of capitation fees shall be applied in and to the administration of this Act, and to such other purposes as the officers of the Churches of Christ associated under this Act shall by a two-thirds majority at any duly convened meeting decide.

SCHEDULES.

Churches of Christ Property Management.

SCHEDULES.

SCHEDULE A.

FORM I.

Statutory declaration under section five of the Churches of Christ Property Management Act, 1906.

I, A.B., of _____ in the State of New South Wales, do hereby solemnly and sincerely declare as follows :—

1. At a special meeting of the members of the Church of Christ at _____ in the said State, duly convened in accordance with section twenty of the above-named Act, I was elected chairman of such meeting.

2. At such meeting the following motion was proposed by Mr. C. D. and seconded by Mr. E. F., namely :—

That, in the opinion of this meeting, it is desirable that the Church of Christ at _____ aforesaid shall associate itself with the Churches of Christ now already associated under the Churches of Christ Property Management Act, 1906, for the purpose of taking the benefit of such Act.

3. The said motion was put by me to the vote of the members of such Church present at such meeting, and was carried by the vote of at least two-thirds of the members present and voting at the said meeting as required by section four of the above Act.

And I make this solemn declaration as to the matters aforesaid, conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900.

A.B.

Made and declared at _____ this _____ day of _____ 1900, before me, J.P.

FORM 2.

Certificate under section seven of the Churches of Christ Property Management Act, 1906.

At a special meeting, to which all the officers of the Churches of Christ now associated under the above Act were duly summoned in accordance with section six of the above Act, I was elected chairman of the meeting by such of the officers as were then present, and, in accordance with section seven, I submitted to the said meeting of officers, the following motion :—

“That, in the opinion of this meeting, it is desirable that the Church of Christ at [name of town or district], in the State of New South Wales, being the Church of Christ mentioned in the statutory declaration of _____, dated the _____ day of _____, 190____, should be declared by this meeting associated with the Churches of Christ now associated for the purpose of taking the benefit of the Churches of Christ Property Management Act, 1906.”

And I certify that the said motion was duly carried, and I thereupon declared the said Church of Christ at _____ duly associated according to the said Act.

A.B.,

Chairman.

C.D.,

Registrar under the above Act.

FORM

Churches of Christ Property Management.

FORM 3.

Declaration of trust under section thirteen of the Churches of Christ Property Management Act, 1906.

We [or I, as the case may be], of _____, in the State of New South Wales _____, do hereby declare that we are [or I am] the trustees [or trustee] of the Church of Christ, at _____, in the State of New South Wales, and that such Church of Christ is duly associated under the above Act, and that we [or I] hold all real estate belonging to the said Church of Christ, as more particularly described and set forth in the Schedule of lands described in the First Schedule hereto, and in the deeds and documents enumerated and set forth in the Second Schedule hereto, upon the trusts set forth and declared in and subject to the provisions of the Churches of Christ Property Management Act, 1906, relating to real estate of the respective Churches of Christ associated under the said Act.

As witness our hands this _____ day of _____, 190 .

THE FIRST SCHEDULE REFERRED TO.

All that piece or parcel of land [here set out the different parcels].

THE SECOND SCHEDULE REFERRED TO.

[Here set out the various title deeds in the possession of the trustees.]

Signed by the said _____ in the presence of _____.

SCHEDULE.

SCHEDULE B.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Campbell-street, Sydney.	City Temple, Campbell-street, Sydney.	Joseph Stimson George Lillie Frederick Newby Edmund Gole John Francis Ashwood	Glebe Waterloo Paddington Enmore Sydney	Agent Ex-Civil Servant Carrier Accountant General merchant	All that parcel of land situated in the parish of Saint Lawrence, city of Sydney, county of Cumberland, and State of New South Wales, having a frontage of forty-three feet six inches to Campbell-street, and a frontage of thirty-seven feet eight inches to Blackburn-street by varying depths and bearings, as more particularly described in an indenture of conveyance dated the twenty-first day of August, one thousand eight hundred and ninety-five, registered number nine hundred and sixty-eight, book five hundred and sixty-three, from Alfred Rofe (therein described) to the said trustees and William Walker and Charles Grocock (both therein described, and both now deceased).
Metropolitan Road, Enmore.	"Tabernacle," Metropolitan Road, Enmore	John Kingsbury James Hunter John Bardsley	Enmore Dulwich Hill Stanmore	Draper Gentleman Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing twenty-nine and a quarter perches, being lots ninety-nine to one hundred and two inclusive, section two, as shown on a plan deposited at the Land Titles Office, Sydney, numbered one thousand one hundred and sixty-six, and being the whole of the land described in certificate of title dated the fourth day of April, one thousand eight hundred and eighty-four, registered volume six hundred and ninety-two, folio thirty-four.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Illawarra Road, Marrickville.	"Christians' Chapel," Illawarra Road, Marrickville.	John Hindle Charles Alfred Rofe Robert Miller James Hunter	Sydney Sydney Marrickville Dulwich Hill	Merchant Clerk Labourer Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing eighteen perches, being lots four, five, and six, as shown on a plan deposited in the Land Titles Office, Sydney, numbered two thousand five hundred and ninety-five, and being the whole of the land described in certificate of title dated the sixteenth day of January, one thousand eight hundred and ninety-two, registered volume one thousand and forty, folio two hundred and twelve.
Joseph-street, Rookwood.	"Christians' Chapel," Joseph-street, Rookwood.	Edwin Andrews George Stimson Joseph Barlow	Rookwood Fairfield London, England	Monumental mason Commission agent Gentleman	All that parcel of land situated in the parish of Liberty Plains, county of Cumberland, and State of New South Wales, containing thirteen and three-quarter perches, and being the whole of the land described in certificate of title dated the eleventh day of October, one thousand eight hundred and eighty-six, registered volume eight hundred and eight, folio seventy-nine.
Paddington-street, Paddington.	"Tabernacle," Paddington-street, Paddington.	Richard Henry Fancourt George Parker Jones Arthur William Shearston James Prince Alexander Chapple Thomas Gabriel Alexander Bagley	Woollahra Paddington Waverley Woollahra Woollahra	Gentleman Builder Warehouseman Draper Evangelist	All that parcel of land situated at Paddington, parish of Alexandria, in the county of Cumberland, and State of New South Wales, containing twenty-three perches, being the whole of the land described in certificate of title, dated the eleventh day of December, one thousand eight hundred and seventy-five, registered volume two hundred and forty-three, folio sixty-two.

SCHEDULE B—*continued.*

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Cannon-street, Petersham.	"Tabernacle," Cannon- street, Petersham.	James Hunter John Bardsley William James Edwards John Kingsbury Samuel Denford	Dulwich Hill Stanmore Enmore Enmore Petersham	Gentleman Gentleman Bootmaker Draper Bootmaker	All that parcel of land situated at Stanmore, parish of Petersham, county of Cumberland, and State of New South Wales, containing seventeen and a half perches, being lots eight and nine of section "M," as shown on a plan deposited at the Land Titles Office, Sydney, numbered two thousand nine hundred and ninety-two, and being the whole of the land described in certificate of title, dated the twenty-second day of April, one thousand nine hundred and one, registered volume one thousand three hundred and fifty, folio one hundred and forty-eight.
Dumaresque and Pitt streets, Chatham, Man- ning River.	"Christians' Chapel," Dumaresque and Pitt streets, Chatham, Manning River.	George Brown Newby John Newby, the younger James Collins Henry Edwards Amos Saxby George Scrivner	Dumaresque Island, Man- ning River. Chatham Dumaresque Island, Man- ning River. Cundletown, Manning River. Chatham Taree	Farmer Blacksmith Farmer Bootmaker Farmer Farmer	Firstly: All that parcel of land situated at Chatham, parish not named, county of Macquarie, and State of New South Wales, being portion of section thirty-five of the township of Chatham, and being the whole of the land described in conveyance dated the fifteenth day of August, one thousand eight hundred and seventy-one, registered number four hundred and twenty-one, book one hundred and twenty-six, from William Marshall to the said trustees and one John Green (therein described) and now deceased. Secondly: All that parcel of land situated at Taree, in the State of New South Wales, containing two roods, and being the land described in indenture of conveyance dated the twenty-sixth day of September, one thousand eight hundred and ninety-two, registered number nine hundred and one, book five hundred.

Churches of Christ Property Management.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Conway-street, Lismore.	"Tabernacle," Conway-street, Lismore.	James Peter Field Walker Frederick Ridgway Furlonger James Wotherspoon	Lismore Lismore Lismore	Printer Law clerk Builder	All that parcel of land situated at Lismore, parish of Lismore, county of Rous, and State of New South Wales, containing nineteen and a half perches, being part of allotment eleven of section eight in the town of Lismore, and being the whole of the land described in conveyance dated the fourteenth day of July, one thousand nine hundred and four, registered number four hundred and sixteen, book seven hundred and sixty-three, from George Frederick Cottee and Charles Albert Barham (therein described) to the said trustees.
Junction-street, Merewether.	"Christians' Chapel," Junction-street, Merewether.	Charles Nisbet Joseph Bright James Russell Joseph Fraser George Beady	Merewether Merewether Merewether Merewether Merewether	Miner Railway employee Storekeeper Miner Gentleman	All that parcel of land situated in the parish of Newcastle, county of Northumberland, and State of New South Wales, containing fifteen and a quarter perches, being lot eleven A of section seven of Burwood township, as per plan prepared by Mr. Licensed Surveyor Reuss, junior, in the year one thousand eight hundred and seventy-six, being the land described in indenture of assignment of leasehold, dated the fourteenth day of May, one thousand eight hundred and ninety-eight, registered number nine hundred and eight, book six hundred and twenty-one, from Edward Tayior to the said trustees.

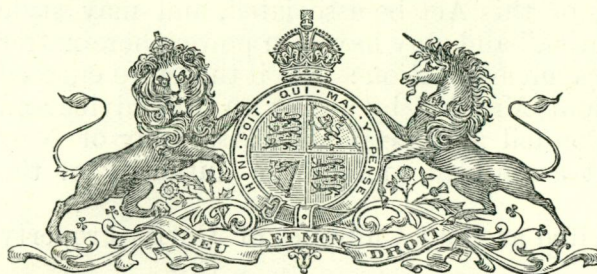
*In the name and on the behalf of His Majesty I assent to this Act.**State Government House,
Sydney, 20th November, 1906.**HARRY H. RAWSON,
Governor.*

This PRIVATE BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 31st October, 1906. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXTO

EDWARDI VII REGIS.

An Act to rescind all trusts existing in respect of or relating to certain real properties belonging to various respective Churches of Christ in the State of New South Wales set forth in Schedule B of this Act, and to substitute certain other trusts in lieu of the trusts rescinded, and to provide an efficient mode of dealing with such real properties, and to provide a scheme of association for the present and future Churches of Christ, whereby the said Churches of Christ coming within such association may be freed from disabilities attaching to their respective real properties by reason of the trusts relating to same.

WHEREAS, in the State of New South Wales, certain persons are Preamble.
members (as defined in section two of this Act) of congregations
at various places in the said State, which said congregations are known
as and designated "Churches of Christ": And whereas a number of
the

Churches of Christ Property Management.

the said Churches of Christ have from time to time acquired real properties in the said State, which are now vested in various respective persons as trustees for and on behalf of the said respective Churches of Christ upon certain trusts: And whereas certain of the said
 5 Churches of Christ mentioned in Schedule B to this Act are desirous that the trusts relating to the respective real property acquired by them through their trustees should be repealed, and that henceforth the persons named as the trustees in the said Schedule B for each
 10 respective property as is therein described and set opposite to the names of such trustees shall respectively hold each respective property for the Church of Christ respectively named with them in such Schedule, upon the trusts, powers, and authorities hereinafter set forth and declared concerning the same, and that the said Churches of
 15 Christ may for the purposes of this Act be associated, and may style themselves "Churches of Christ," and may have the powers hereinafter set forth and declared under such association: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the
 20 same, as follows:—

1. This Act may be cited as the "Churches of Christ Property Management Act, 1906." Short title.

2. In this Act, and for the purposes of this Act,—

Definitions.

25 "Church of Christ" shall mean the whole of the members whose names are for the time being on the roll of any particular congregation known or styled as a Church of Christ at any particular place in the State of New South Wales.

30 "Member" shall mean any person who, after public confession of his or her faith in the Lord Jesus Christ, and after repentance towards God, has been immersed into the name of the Father, Son, and Holy Spirit, and who, after such confession and immersion, shall have his or her name inserted and remaining upon the roll of persons belonging to any Church of Christ according to the custom and practice of
 35 such church.

"Officer" shall mean a duly enrolled member of a Church of Christ who shall in such church have been elected to the office or offices commonly known in the Churches of Christ as elder or deacon according to the custom of such church.

40 "Registrar" shall mean the person appointed to the office of Registrar at and by a duly convened meeting of the officers of the Churches of Christ associated under this Act.

3. Nothing in this Act contained shall be held to affect the
 Government of any Church of Christ coming under the operation of
 45 this Act in any matter not expressly referred to in this Act. Saving clause.

Churches of Christ Properly Management.

4. After the passing of this Act the officer or officers, or a majority of such officers, for the time being of any Church of Christ at any place in the State of New South Wales not originally associated by this Act, and not included in the scope and benefit of this Act, may convene, in the manner hereinafter provided, a special meeting of the members of the church of which he or they is or are the duly elected officer or officers, and at such meeting the members of such church shall elect one of their number present to be chairman of the said meeting, and any member present may at such special meeting propose a motion in the form set out in clause two of form one in Schedule A to this Act, which said motion shall be duly seconded, and after discussion being permitted thereon by the chairman, he shall put the motion to the vote of the members of such church present at such meeting, and the same shall be deemed carried if two-thirds of the members present and voting shall vote in favour of the said motion.

Steps to be taken by churches not originally associated to obtain benefits under this Act.

5. If the said motion shall be carried as aforesaid, the said chairman shall make a statutory declaration verifying the said motion in the form set forth in form one of Schedule A to this Act, and shall forthwith cause the said declaration to be sent by registered post to the registrar to be appointed under this Act, or, if there be at any time no such registrar, then to the secretary for the time being of the Church of Christ at Enmore, who shall at all times have all the powers and perform all the duties of registrar until a registrar is appointed as required by this Act.

Statutory declaration by chairman.

6. After the said declaration in the last preceding section mentioned shall have been received by the registrar (or by the secretary of the Church of Christ at Enmore, if there be no such registrar), the registrar (or the said secretary) shall convene, by written notice posted to the secretary of each and every Church of Christ associated under this Act, a special meeting of the officers of the Churches of Christ then associated under this Act, for the purpose of granting or refusing association under this Act, as the case may be, to the Church of Christ then not so associated and seeking such association as aforesaid.

Meeting of officers of associated churches.

7. At any such special meeting of the officers of all the Churches of Christ then associated under this Act, such officers as shall be present at such meeting shall elect one of their number to be chairman thereof, and such chairman shall, without requiring the same to be moved or seconded, thereupon submit to the said meeting of officers a motion to the effect of the motion set out in form two of Schedule A, and, after discussion thereon being permitted by the chairman of the said meeting, the said chairman shall put the said motion to the vote of the said meeting of officers, and the same shall be deemed carried if two-thirds of the officers present and voting shall vote in favour of the said motion.

Proceedings at meetings of officers of associated churches.

Certificate to be given.

Churches of Christ Property Management.

8. For the purpose of giving effect to this Act, there shall be appointed, at a duly convened meeting of the officers of the Churches of Christ associated under this Act, a registrar, who shall keep all records of the association provided for by this Act, and sign all notices or certificates required to be signed or countersigned by him under this Act, and who shall act in such capacity until his successor is appointed by the officers of the Churches of Christ associated under this Act, at a duly convened meeting, and who shall convene all future meetings of officers of the Churches of Christ associated under this Act intended to be held to give effect to this Act.

Appointment of registrar.

9. If the motion in section seven mentioned shall be carried as aforesaid, the said chairman shall give a certificate, countersigned by the said registrar, in the form set forth in form two of Schedule A to this Act, and the registrar shall forthwith cause a true copy of the said certificate to be published in the Government Gazette; and, from and after the date of the said publication, the said certificate shall be binding and conclusive on all members of the Church of Christ mentioned therein, and the Church of Christ so seeking to be associated shall, from and after the date of the said publication, be deemed duly associated with the Churches of Christ then already associated under this Act for the purposes of this Act, and shall be entitled to have and take the benefit of this Act in the matters herein mentioned.

Publication of certificate under section 7.

10. The respective trustee or trustees, named in Schedule B to this Act, shall, from and after the date of this Act, hold the respective lands and buildings standing in his or their respective name or names as trustee or trustees of the Church of Christ respectively named and mentioned in the said Schedule opposite to the name or names of any such trustee or trustees, freed and absolutely discharged of and from the trusts and equities heretofore declared or existing, in favour of the members of the said respective Church of Christ of which he or they is or are trustee or trustees, and shall thenceforth hold the same, subject to the provisions of this Act, and upon the trusts declared and set out in section fourteen of this Act, and with the powers therein and elsewhere in this Act expressed.

Rescission of existing trusts relating to lands, &c., mentioned in Schedule.

11. The trustees of any Church of Christ hereafter becoming declared associated in the manner hereinbefore provided shall, from and after the date of the publication of the certificate mentioned in section nine of this Act, hold the lands and buildings standing in their names as trustees for such Church of Christ freed and absolutely discharged of and from the trusts and equities declared or existing in favour of the members of such Church of Christ for whom they have theretofore held the said lands and buildings in trust, and shall thenceforth hold the same subject to the provisions of this Act, and upon trusts declared and set out in section fourteen subsections (a), (b), and (c) of this Act, and with the powers therein and elsewhere in this Act expressed.

Rescission of trusts relating to lands, &c., of churches hereafter becoming associated.

Churches of Christ Property Management.

12. Nothing provided in this Act shall be taken to affect any legal or equitable mortgage, or any conveyance or contract made before the passing of this Act by the trustee or trustees of any Church of Christ associated or becoming associated under this Act with any person or persons for valuable consideration and bona fide, without notice of the trusts affecting the lands and buildings purported to have been mortgaged, conveyed, or otherwise become the subject matter of any contract as aforesaid. Saving as to certain rights existing.

13. From and after the date of this Act, the trustees of the lands and buildings of the Churches of Christ, now named in the said Schedule B to this Act, and of any other Church of Christ hereafter coming within the operation of this Act shall and must, within three months from the date on which such church shall have come within such operation, make and register a declaration of trust in the form set forth in form three of Schedule A to this Act, and such registration shall be effected either in the office for the registration of deeds or in the Land Titles Office according to the title existing in respect of such lands and buildings, and upon such registration as aforesaid the Registrar-General may mark any deeds or documents in his possession prior to the date before mentioned, or which shall thereafter come into his possession relating to the said trusts as being subject to such trusts, and may, on such proof being furnished as he shall require, remove any caveat entered by him or any other person. Trusts to be registered.

14. From and after the date of this Act, as provided in section ten, or the date of the publication of the certificate, as provided in section eleven, the trustees of the lands of every Church of Christ associated in the manner herein prescribed shall hold the lands and buildings standing in their names as such trustees freed and discharged as herein provided of and from all trusts and equities affecting the same, and shall thenceforth hold the same for and on behalf of the Church of Christ to which those lands belonged, and for which they, the said trustees, have theretofore held the same, but subject to the following trusts and with the following powers, that is to say:— Trusts substituted for those rescinded

(a) Upon trust at all times thereafter to permit the lands and buildings of which they are trustees as aforesaid to be used for the purpose of the worship of God in public by the members for the time being of the Church of Christ at the place where the lands and buildings are situated according to the faith and doctrine of the Churches of Christ associated under this Act in the State of New South Wales. And, furthermore, to permit the said buildings to be used for the instruction of children and adults, and for the promotion of religious and philanthropic objects and purposes, and for such other purposes as the officers of the said church, or a majority of them, shall from time to time decide, and, under

Churches of Christ Property Management.

5 under the direction of a special meeting or special meetings of the said church, convened in the manner hereinafter provided, to permit the said buildings to be altered, enlarged, repaired, taken down, and wholly or partially rebuilt, and also to permit any other building or buildings to be erected upon the said lands for the purposes of the said Church of Christ.

10 (b) Upon further trust, by and at the direction of a two-thirds majority vote of the members of the said church present, and voting at a special meeting convened as herein provided, and held for that purpose, to raise such sum or sums of money as the said special meeting by such majority shall direct, by mortgage over the lands and buildings of the said church, or over any portion thereof; and upon trust, at the like direction, to sell or lease the whole or any part of the said lands and buildings upon such terms and conditions as the said members shall, at such special meeting by a two-thirds majority of those present and voting, decide.

20 (c) Upon further trust, from time to time, to apply the moneys coming to their hands under any of the trusts declared by this Act in and towards the purposes of the administration of the said church, as directed by the two-thirds majority vote of any such meeting as aforesaid.

25 15. (1) The powers of appointing new trustees, conferred by Appointment of new trustees.
section six (1) of the Trustee Act of 1898, when and so far as any of the events therein provided for may happen in connection with the trusts referred to in this Act shall apply to the said trusts.

(2) Further, the surviving or continuing trustee or trustees of any Churches of Christ associated under this Act, or of any other Church of Christ hereafter coming within the operation of this Act, shall, at any time hereafter, when requested by two-thirds of the members of the Church of Christ for which he or they is or are trustee or trustees present, and voting at a special meeting convened in accordance with the provisions of this Act, and for that purpose
35 appoint as new trustee or trustees for the said church any person or persons who shall have been elected to the position of trustee or trustees by a two-thirds majority of members present, and voting at such special meeting as aforesaid.

(3) In the event of the surviving or continuing trustee
40 dying or refusing to make such appointment, or becoming incapable of making such appointment, or leaving the Commonwealth of Australia, or whose address shall become unknown, then such person or persons as shall have been elected to the position of trustee or trustees as aforesaid shall be deemed duly appointed, without any
45 instrument under the hand of the former trustees so dying, refusing, becoming incapable of, or leaving, or whose address shall become unknown as aforesaid.

Churches of Christ Property Management.

16. (1) So often as any new trustee or new trustees is or are appointed in accordance with section fifteen, subsections one, two, or three of this Act, all the property (if any) for the time being, vested in the surviving or continuing trustee or trustees, or in the executor or administrator of any trustees, or in the Chief Justice or senior Puisne Judge for the time being, by virtue of the Wills, Probate, and Administration Act of 1898, or any Act consolidating or amending the same, and (subject to the trust in respect of which the new trustee or new trustees is or are appointed) shall, by virtue of the instrument which created the trusts, and by virtue of this Act, and without other assurance in the law, become and be conveyed, assigned, and transferred so that the same shall thereupon become and be legally and effectually vested in such new trustee or new trustees, either solely or jointly with the surviving or continuing trustee or trustees, as the case may require.

Vesting of estate in newly appointed trustees.

(2) Every new trustee to be appointed as aforesaid shall have the same powers, authorities, and discretions, and shall, in all respects, act as if he had been originally nominated a trustee by the instrument creating the trust.

17. A special meeting of the members of any Church of Christ coming within the operation of this Act, duly convened in accordance with the provisions of this Act, may remove any trustee or trustees, provided that two-thirds of the members present and voting at such meeting consent to the said removal.

Removal of trustees

18. After every appointment, retirement, or removal of a trustee or trustees as aforesaid, a memorandum in writing setting forth the names in full of every trustee so appointed, retired, or removed, shall be signed by the chairman of the special meeting of the Church of Christ which dealt with the appointment, retirement, or removal of a trustee or trustees as aforesaid, and shall be published by him within a period of three months from the date of such appointment, retirement, or removal in the Government Gazette; and the production of a copy of such Gazette shall be conclusive evidence that the person or persons named in such memorandum has or have been appointed, or has or have retired from, or has or have been removed from the position of trustee of the Church of Christ named in such memorandum.

Publication of memorandum certifying change of trustees.

19. Upon any sale, or mortgage, or lease by any trustee or trustees of any Church of Christ coming within the operation of this Act, the purchaser, mortgagee, or lessee shall be exonerated from seeing to the application of the moneys paid by him to such trustee or trustees, and from all liability in respect of the same, upon having produced to him a statutory declaration of the chairman of a special meeting convened in the manner hereinafter directed, showing that at such special meeting it was resolved by a two-thirds majority of the members of the said church present and voting at such meeting that

Indemnity to purchasers.

the

Churches of Christ Property Management.

the sale, mortgage, or lease should be duly authorised, and that the deed of conveyance, mortgage, lease, or other instrument prepared in pursuance thereof properly evidences and carries out the desire of the said meeting, and that the person or persons executing the same is or
5 are the trustee or trustees of the Church of Christ so desiring to deal with the property.

20. A special meeting of the members of a Church of Christ coming within the operation of this Act, required to be convened for all or any of the purposes of this Act, shall be convened by the officer
10 or officers for the time being of such Church of Christ, or by him or them, at the request of not less than ten members of the said church, by causing to be affixed to some prominent and conspicuous part of the place of worship used by the members of the said church for the purposes of worship a notice in writing, specifying the time and place
15 of such meeting, and the nature of the business to be then and there discussed, at least two Sundays immediately preceding the date for which such special meeting shall be called, and by causing a copy of the said notice to be inserted in a daily or weekly newspaper circulating in the district in which the said place of worship is situated at least
20 once in each of the two weeks immediately preceding the date of the said meeting.

Special meeting—
how convened.

21. For the purposes of this Act only such male or female members of a Church of Christ coming within the operation of this Act whose names shall, from time to time, be and remain on the roll
25 of such Church of Christ according to the custom and practice of such church shall be allowed to vote in respect of the matters affected by and provided for in this Act: Provided always that no member under the age of twenty-one years shall be entitled to vote in respect of the matters affected by and provided for in this Act.

Persons entitled to
vote at special
meetings.

30 22. From and after the passing of this Act any Church of Christ applying to become associated hereunder shall, upon forwarding the declaration mentioned in section five of this Act, forward to the registrar or other person for the time being filling the office of registrar a statutory declaration showing the number of members on the roll of the Church of Christ applying for association, together
35 with the sum of one shilling for every such member as a capitation fee.

Fees payable in
future by churches
becoming associated
under this Act.

All sums received from time to time under this Act by way of capitation fees shall be applied in and to the administration of this Act, and to such other purposes as the officers of the Churches of
40 Christ associated under this Act shall by a two-thirds majority at any duly convened meeting decide.

SCHEDULES.

Churches of Christ Property Management.

SCHEDULES.

SCHEDULE A.

FORM I.

Statutory declaration under section five of the Churches of Christ Property Management Act, 1906.

5

I, A.B., of _____ in the State of New South Wales, do hereby solemnly and sincerely declare as follows :—

1. At a special meeting of the members of the Church of Christ at _____ in the said State, duly convened in accordance with section twenty of the above-named
10 Act, I was elected chairman of such meeting.

2. At such meeting the following motion was proposed by Mr. C. D. and seconded by Mr. E. F., namely :—

That, in the opinion of this meeting, it is desirable that the Church of Christ at
aforesaid shall associate itself with the Churches of Christ now
15 already associated under the Churches of Christ Property Management Act, 1906, for the purpose of taking the benefit of such Act.

3. The said motion was put by me to the vote of the members of such Church present at such meeting, and was carried by the vote of at least two-thirds of the members present and voting at the said meeting as required by section four of the above
20 Act.

And I make this solemn declaration as to the matters aforesaid, conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900.

A.B.

Made and declared at _____ this _____ day of _____ 1900, before me,
25 _____ J.P.

FORM 2.

Certificate under section seven of the Churches of Christ Property Management Act, 1906.

At a special meeting, to which all the officers of the Churches of Christ now associated under the above Act were duly summoned in accordance with section six of
30 the above Act, I was elected chairman of the meeting by such of the officers as were then present, and, in accordance with section seven, I submitted to the said meeting of officers, the following motion :—

“That, in the opinion of this meeting, it is desirable that the Church of Christ at
[name of town or district], in the State of New South Wales, being the Church
35 of Christ mentioned in the statutory declaration of _____, dated the _____ day of _____, 190 _____, should be declared by this meeting associated with the Churches of Christ now associated for the purpose of taking the benefit of the Churches of Christ Property Management Act, 1906.”

And I certify that the said motion was duly carried, and I thereupon declared the
40 said Church of Christ at _____ duly associated according to the said Act.

A.B.,

Chairman.

C.D.,

Registrar under the above Act.

FORM

Churches of Christ Property Management.

FORM 3.

Declaration of trust under section thirteen of the Churches of Christ Property Management Act, 1906.

We [or I, as the case may be], of _____, in the State of New South
 5 Wales _____, do hereby declare that we are [or I am] the trustees [or trustee] of
 the Church of Christ, at _____, in the State of New South Wales, and that such
 Church of Christ is duly associated under the above Act, and that we [or I] hold all real
 estate belonging to the said Church of Christ, as more particularly described and set forth
 10 in the Schedule of lands described in the First Schedule hereto, and in the deeds and
 documents enumerated and set forth in the Second Schedule hereto, upon the trusts set
 forth and declared in and subject to the provisions of the Churches of Christ Property
 Management Act, 1906, relating to real estate of the respective Churches of Christ
 associated under the said Act.

As witness our hands this _____ day of _____, 190 _____.

15

THE FIRST SCHEDULE REFERRED TO.

All that piece or parcel of land [here set out the different parcels].

THE SECOND SCHEDULE REFERRED TO.

[Here set out the various title deeds in the possession of the trustees.]

Signed by the said _____ in the presence of _____

SCHEDULE.

SCHEDULE B.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Campbell-street, Sydney.	City Temple, Campbell-street, Sydney.	Joseph Stimson George Lillie Frederick Newby Edmund Gole John Francis Ashwood	Glebe Waterloo Paddington Enmore Sydney	Agent Ex-Civil Servant Carrier Accountant General merchant	All that parcel of land situated in the parish of Saint Lawrence, city of Sydney, county of Cumberland, and State of New South Wales, having a frontage of forty-three feet six inches to Campbell-street, and a frontage of thirty-seven feet eight inches to Blackburn-street by varying depths and bearings, as more particularly described in an indenture of conveyance dated the twenty-first day of August, one thousand eight hundred and ninety-five, registered number nine hundred and sixty-eight, book five hundred and sixty-three, from Alfred Rofe (therein described) to the said trustees and William Walker and Charles Grocock (both therein described, and both now deceased).
Metropolitan Road, Enmore.	"Tabernacle," Metropolitan Road, Enmore	John Kingsbury James Hunter John Bardsley	Enmore Dulwich Hill Stanmore	Draper Gentleman Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing twenty-nine and a quarter perches, being lots ninety-nine to one hundred and two inclusive, section two, as shown on a plan deposited at the Land Titles Office, Sydney, numbered one thousand one hundred and sixty-six, and being the whole of the land described in certificate of title dated the fourth day of April, one thousand eight hundred and eighty-four, registered volume six hundred and ninety-two, folio thirty-four.

Churches of Christ Property Management.

Act, 1906.

SCHEDULE B—*continued.*

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Illawarra Road, Marrickville.	"Christians' Chapel," Illawarra Road, Mar- rickville.	John Hindle Charles Alfred Rofe Robert Miller James Hunter	Sydney Sydney Marrickville Dulwich Hill	Merchant Clerk Labourer Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing eighteen perches, being lots four, five, and six, as shown on a plan deposited in the Land Titles Office, Sydney, numbered two thousand five hundred and ninety-five, and being the whole of the land described in certificate of title dated the sixteenth day of January, one thousand eight hundred and ninety-two, registered volume one thousand and forty, folio two hundred and twelve.
Joseph-street, Rookwood.	"Christians' Chapel," Joseph-street, Rook- wood.	Edwin Andrews George Stimson Joseph Barlow	Rookwood Fairfield London, England	Monumental mason Commission agent Gentleman	All that parcel of land situated in the parish of Liberty Plains, county of Cumberland, and State of New South Wales, containing thirteen and three-quarter perches, and being the whole of the land described in certificate of title dated the eleventh day of October, one thousand eight hundred and eighty-six, registered volume eight hundred and eight, folio seventy-nine.
Paddington-street, Paddington.	"Tabernacle," Paddington-street, Paddington.	Richard Henry Fancourt George Parker Jones Arthur William Shearston James Prince Alexander Chapple Thomas Gabriel Alexander Bagley	Woollahra Paddington Waverley Woollahra Woollahra	Gentleman Builder Warehouseman Draper Evangelist	All that parcel of land situated at Paddington, parish of Alexandria, in the county of Cumberland, and State of New South Wales, containing twenty-three perches, being the whole of the land described in certificate of title, dated the eleventh day of December, one thousand eight hundred and seventy-five, registered volume two hundred and forty-three, folio sixty-two.

SCHEDULE B—*continued.*

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
c 79 - C Cannon-street, Petersham.	"Tabernacle," Cannon- street, Petersham.	James Hunter John Bardsley William James Edwards John Kingsbury Samuel Denford	Dulwich Hill Stanmore Enmore Enmore Petersham	Gentleman Gentleman Bootmaker Draper Bootmaker	All that parcel of land situated at Stanmore, parish of Petersham, county of Cumberland, and State of New South Wales, containing seventeen and a half perches, being lots eight and nine of section "M," as shown on a plan deposited at the Land Titles Office, Sydney, numbered two thousand nine hundred and ninety-two, and being the whole of the land described in certificate of title, dated the twenty-second day of April, one thousand nine hundred and one, registered volume one thousand three hundred and fifty, folio one hundred and forty-eight.
Dumaresque and Pitt streets, Chatham, Man- ning River.	"Christians' Chapel," Dumaresque and Pitt streets, Chatham, Manning River.	George Brown Newby John Newby, the younger James Collins Henry Edwards Amos Saxby George Scrivner	Dumaresque Island, Man- ning River. Chatham Dumaresque Island, Man- ning River. Cundletown, Manning River. Chatham Taree	Farmer Blacksmith Farmer Bootmaker Farmer Farmer	Firstly: All that parcel of land situated at Chatham, parish not named, county of Macquarie, and State of New South Wales, being portion of section thirty-five of the township of Chatham, and being the whole of the land described in conveyance dated the fifteenth day of August, one thousand eight hundred and seventy-one, registered number four hundred and twenty-one, book one hundred and twenty-six, from William Marshall to the said trustees and one John Green (therein described) and now deceased. Secondly: All that parcel of land situated at Taree, in the State of New South Wales, containing two roods, and being the land described in indenture of conveyance dated the twenty-sixth day of September, one thousand eight hundred and ninety-two, registered number nine hundred and one, book five hundred.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Conway-street, Lis- more.	"Tabernacle," Conway- street, Lismore.	James Peter Field Walker Frederick Ridgway Fur- longer James Wotherspoon	Lismore Lismore Lismore	Printer Law clerk Builder	All that parcel of land situated at Lismore, parish of Lismore, county of Rous, and State of New South Wales, containing nineteen and a half perches, being part of allotment eleven of section eight in the town of Lismore, and being the whole of the land described in con- veyance dated the fourteenth day of July, one thousand nine hundred and four, registered number four hundred and sixteen, book seven hundred and sixty-three, from George Frederick Cottey and Charles Albert Barham (therein described) to the said trustees.
Junction-street, Merewether.	"Christians' Chapel," Junction-street, Merewether.	Charles Nisbet Joseph Bright James Russell Joseph Fraser George Beady	Merewether Merewether Merewether Merewether Merewether	Miner Railway employee Storekeeper Miner Gentleman	All that parcel of land situated in the parish of Newcastle, county of Northumberland, and State of New South Wales, containing fifteen and a quarter perches, being lot eleven A of section seven of Burwood township, as per plan prepared by Mr. Licensed Surveyor Reuss, junior, in the year one thousand eight hundred and seventy-six, being the land described in indenture of assignment of lease- hold, dated the fourteenth day of May, one thousand eight hundred and ninety-eight, registered number nine hundred and eight, book six hundred and twenty-one, from Edward Taylor to the said trustees.

Sydney: William Applegate Gullick, Government Printer.—1906.

This PRIVATE BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, October, 1906. }*

Clerk of the Parliaments.

New South Wales.



ANNO SEXTO

EDWARDI VII REGIS.

An Act to rescind all trusts existing in respect of or relating to certain real properties belonging to various respective Churches of Christ in the State of New South Wales set forth in Schedule B of this Bill, and to substitute certain other trusts in lieu of the trusts rescinded, and to provide an efficient mode of dealing with such real properties, and to provide a scheme of association for the present and future Churches of Christ, whereby the said Churches of Christ coming within such association may be freed from disabilities attaching to their respective real properties by reason of the trusts relating to same.

WHEREAS, in the State of New South Wales, certain persons are Preamble.
members (as defined in section two of this Act) of congregations
at various places in the said State, which said congregations are known
as and designated "Churches of Christ": And whereas a number of
c 79—A the

Churches of Christ Property Management.

the said Churches of Christ have from time to time acquired real properties in the said State, which are now vested in various respective persons as trustees for and on behalf of the said respective Churches of Christ upon certain trusts: And whereas certain of the said
5 Churches of Christ mentioned in Schedule B to this Act are desirous that the trusts relating to the respective real property acquired by them through their trustees should be repealed, and that henceforth the persons named as the trustees in the said Schedule B for each respective property as is therein described and set opposite to the
10 names of such trustees shall respectively hold each respective property for the Church of Christ respectively named with them in such Schedule, upon the trusts, powers, and authorities hereinafter set forth and declared concerning the same, and that the said Churches of Christ may for the purposes of this Act be associated, and may style
15 themselves "Churches of Christ," and may have the powers hereinafter set forth and declared under such association: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the
20 same, as follows:—

1. This Act may be cited as the "Churches of Christ Property Short title.
Management Act, 1906."

2. In this Act, and for the purposes of this Act,—

Definitions.

25 "Church of Christ" shall mean the whole of the members whose names are for the time being on the roll of any particular congregation known or styled as a Church of Christ at any particular place in the State of New South Wales.

30 "Member" shall mean any person who, after public confession of his or her faith in the Lord Jesus Christ, and after repentance towards God, has been immersed into the name of the Father, Son, and Holy Spirit, and who, after such confession and immersion, shall have his or her name inserted and remaining upon the roll of persons belonging to any Church of Christ according to the custom and practice of
35 such church.

"Officer" shall mean a duly enrolled member of a Church of Christ who shall in such church have been elected to the office or offices commonly known in the Churches of Christ as elder or deacon according to the custom of such church.

40 "Registrar" shall mean the person appointed to the office of Registrar at and by a duly convened meeting of the officers of the Churches of Christ associated under this Act.

3. Nothing in this Act contained shall be held to affect the Saving clause.
Government of any Church of Christ coming under the operation of
45 this Act in any matter not expressly referred to in this Act.

Churches of Christ Property Management.

4. After the passing of this Act the officer or officers, or a majority of such officers, for the time being of any Church of Christ at any place in the State of New South Wales not originally associated by this Act, and not included in the scope and benefit of this Act, may convene, in the manner hereinafter provided, a special meeting of the members of the church of which he or they is or are the duly elected officer or officers, and at such meeting the members of such church shall elect one of their number present to be chairman of the said meeting, and any member present may at such special meeting propose a motion in the form set out in clause two of form one in Schedule A to this Act, which said motion shall be duly seconded, and after discussion being permitted thereon by the chairman, he shall put the motion to the vote of the members of such church present at such meeting, and the same shall be deemed carried if two-thirds of the members present and voting shall vote in favour of the said motion.

Steps to be taken by churches not originally associated to obtain benefits under this Act.

5. If the said motion shall be carried as aforesaid, the said chairman shall make a statutory declaration verifying the said motion in the form set forth in form one of Schedule A to this Act, and shall forthwith cause the said declaration to be sent by registered post to the registrar to be appointed under this Act, or, if there be at any time no such registrar, then to the secretary for the time being of the Church of Christ at Enmore, who shall at all times have all the powers and perform all the duties of registrar until a registrar is appointed as required by this Act.

Statutory declaration by chairman.

6. After the said declaration in the last preceding section mentioned shall have been received by the registrar (or by the secretary of the Church of Christ at Enmore, if there be no such registrar), the registrar (or the said secretary) shall convene, by written notice posted to the secretary of each and every Church of Christ associated under this Act, a special meeting of the officers of the Churches of Christ then associated under this Act, for the purpose of granting or refusing association under this Act, as the case may be, to the Church of Christ then not so associated and seeking such association as aforesaid.

Meeting of officers of associated churches.

7. At any such special meeting of the officers of all the Churches of Christ then associated under this Act, such officers as shall be present at such meeting shall elect one of their number to be chairman thereof, and such chairman shall, without requiring the same to be moved or seconded, thereupon submit to the said meeting of officers a motion to the effect of the motion set out in form two of Schedule A, and, after discussion thereon being permitted by the chairman of the said meeting, the said chairman shall put the said motion to the vote of the said meeting of officers, and the same shall be deemed carried if two-thirds of the officers present and voting shall vote in favour of the said motion.

Proceedings at meetings of officers of associated churches.

Certificate to be given.

Churches of Christ Property Management.

8. For the purpose of giving effect to this Act, there shall be appointed, at a duly convened meeting of the officers of the Churches of Christ associated under this Act, a registrar, who shall keep all records of the association provided for by this Act, and sign all notices or certificates required to be signed or countersigned by him under this Act, and who shall act in such capacity until his successor is appointed by the officers of the Churches of Christ associated under this Act, at a duly convened meeting, and who shall convene all future meetings of officers of the Churches of Christ associated under this Act intended to be held to give effect to this Act.

Appointment of registrar.

9. If the motion in section seven mentioned shall be carried as aforesaid, the said chairman shall give a certificate, countersigned by the said registrar, in the form set forth in form two of Schedule A to this Act, and the registrar shall forthwith cause a true copy of the said certificate to be published in the Government Gazette; and, from and after the date of the said publication, the said certificate shall be binding and conclusive on all members of the Church of Christ mentioned therein, and the Church of Christ so seeking to be associated shall, from and after the date of the said publication, be deemed duly associated with the Churches of Christ then already associated under this Act for the purposes of this Act, and shall be entitled to have and take the benefit of this Act in the matters herein mentioned.

Publication of certificate under section 7.

10. The respective trustee or trustees, named in Schedule B to this Act, shall, from and after the date of this Act, hold the respective lands and buildings standing in his or their respective name or names as trustee or trustees of the Church of Christ respectively named and mentioned in the said Schedule opposite to the name or names of any such trustee or trustees, freed and absolutely discharged of and from the trusts and equities heretofore declared or existing, in favour of the members of the said respective Church of Christ of which he or they is or are trustee or trustees, and shall thenceforth hold the same, subject to the provisions of this Act, and upon the trusts declared and set out in section fourteen of this Act, and with the powers therein and elsewhere in this Act expressed.

Rescission of existing trusts relating to lands, &c., mentioned in Schedule.

11. The trustees of any Church of Christ hereafter becoming declared associated in the manner hereinbefore provided shall, from and after the date of the publication of the certificate mentioned in section nine of this Act, hold the lands and buildings standing in their names as trustees for such Church of Christ freed and absolutely discharged of and from the trusts and equities declared or existing in favour of the members of such Church of Christ for whom they have theretofore held the said lands and buildings in trust, and shall thenceforth hold the same subject to the provisions of this Act, and upon trusts declared and set out in section fourteen subsections (a), (b), and (c) of this Act, and with the powers therein and elsewhere in this Act expressed.

Rescission of trusts relating to lands, &c., of churches hereafter becoming associated.

Churches of Christ Property Management.

12. Nothing provided in this Act shall be taken to affect any legal or equitable mortgage, or any conveyance or contract made before the passing of this Act by the trustee or trustees of any Church of Christ associated or becoming associated under this Act with any person or persons for valuable consideration and bona fide, without notice of the trusts affecting the lands and buildings purported to have been mortgaged, conveyed, or otherwise become the subject matter of any contract as aforesaid.

Saving as to certain rights existing.

13. From and after the date of this Act, the trustees of the lands and buildings of the Churches of Christ, now named in the said Schedule B to this Act, and of any other Church of Christ hereafter coming within the operation of this Act shall and must, within three months from the date on which such church shall have come within such operation, make and register a declaration of trust in the form set forth in form three of Schedule A to this Act, and such registration shall be effected either in the office for the registration of deeds or in the Land Titles Office according to the title existing in respect of such lands and buildings, and upon such registration as aforesaid the Registrar-General may mark any deeds or documents in his possession prior to the date before mentioned, or which shall thereafter come into his possession relating to the said trusts as being subject to such trusts, and may, on such proof being furnished as he shall require, remove any caveat entered by him or any other person.

Trusts to be registered.

14. From and after the date of this Act, as provided in section ten, or the date of the publication of the certificate, as provided in section eleven, the trustees of the lands of every Church of Christ associated in the manner herein prescribed shall hold the lands and buildings standing in their names as such trustees freed and discharged as herein provided of and from all trusts and equities affecting the same, and shall thenceforth hold the same for and on behalf of the Church of Christ to which those lands belonged, and for which they, the said trustees, have theretofore held the same, but subject to the following trusts and with the following powers, that is to say:—

Trusts substituted for those rescinded

(a) Upon trust at all times thereafter to permit the lands and buildings of which they are trustees as aforesaid to be used for the purpose of the worship of God in public by the members for the time being of the Church of Christ at the place where the lands and buildings are situated according to the faith and doctrine of the Churches of Christ associated under this Act in the State of New South Wales. And, furthermore, to permit the said buildings to be used for the instruction of children and adults, and for the promotion of religious and philanthropic objects and purposes, and for such other purposes as the officers of the said church, or a majority of them, shall from time to time decide, and, under

Churches of Christ Property Management.

5 under the direction of a special meeting or special meetings of the said church, convened in the manner hereinafter provided, to permit the said buildings to be altered, enlarged, repaired, taken down, and wholly or partially rebuilt, and also to permit any other building or buildings to be erected upon the said lands for the purposes of the said Church of Christ.

10 (b) Upon further trust, by and at the direction of a two-thirds majority vote of the members of the said church present, and voting at a special meeting convened as herein provided, and held for that purpose, to raise such sum or sums of money as the said special meeting by such majority shall direct, by mortgage over the lands and buildings of the said church, or over any portion thereof; and upon trust, at the like direction, to sell or lease the whole or any part of the said lands and buildings upon such terms and conditions as the said members shall, at such special meeting by a two-thirds majority of those present and voting, decide.

20 (c) Upon further trust, from time to time, to apply the moneys coming to their hands under any of the trusts declared by this Act in and towards the purposes of the administration of the said church, as directed by the two-thirds majority vote of any such meeting as aforesaid.

25 15. (1) The powers of appointing new trustees, conferred by Appointment of new trustees.
section six (1) of the Trustee Act of 1898, when and so far as any of the events therein provided for may happen in connection with the trusts referred to in this Act shall apply to the said trusts.

30 (2) Further, the surviving or continuing trustee or trustees of any Churches of Christ associated under this Act, or of any other Church of Christ hereafter coming within the operation of this Act, shall, at any time hereafter, when requested by two-thirds of the members of the Church of Christ for which he or they is or are trustee or trustees present, and voting at a special meeting convened in accordance with the provisions of this Act, and for that purpose
35 appoint as new trustee or trustees for the said church any person or persons who shall have been elected to the position of trustee or trustees by a two-thirds majority of members present, and voting at such special meeting as aforesaid.

40 (3) In the event of the surviving or continuing trustee dying or refusing to make such appointment, or becoming incapable of making such appointment, or leaving the Commonwealth of Australia, or whose address shall become unknown, then such person or persons as shall have been elected to the position of trustee or trustees as aforesaid shall be deemed duly appointed, without any
45 instrument under the hand of the former trustees so dying, refusing, becoming incapable of, or leaving, or whose address shall become unknown as aforesaid.

Churches of Christ Property Management.

16. (1) So often as any new trustee or new trustees is or are appointed in accordance with section fifteen, subsections one, two, or three of this Act, all the property (if any) for the time being, vested in the surviving or continuing trustee or trustees, or in the executor or administrator of any trustees, or in the Chief Justice or senior Puisne Judge for the time being, by virtue of the Wills, Probate, and Administration Act of 1898, or any Act consolidating or amending the same, and (subject to the trust in respect of which the new trustee or new trustees is or are appointed) shall, by virtue of the instrument which created the trusts, and by virtue of this Act, and without other assurance in the law, become and be conveyed, assigned, and transferred so that the same shall thereupon become and be legally and effectually vested in such new trustee or new trustees, either solely or jointly with the surviving or continuing trustee or trustees, as the case may require.

Vesting of estate in newly appointed trustees.

(2) Every new trustee to be appointed as aforesaid shall have the same powers, authorities, and discretions, and shall, in all respects, act as if he had been originally nominated a trustee by the instrument creating the trust.

17. A special meeting of the members of any Church of Christ coming within the operation of this Act, duly convened in accordance with the provisions of this Act, may remove any trustee or trustees, provided that two-thirds of the members present and voting at such meeting consent to the said removal.

Removal of trustees.

18. After every appointment, retirement, or removal of a trustee or trustees as aforesaid, a memorandum in writing setting forth the names in full of every trustee so appointed, retired, or removed, shall be signed by the chairman of the special meeting of the Church of Christ which dealt with the appointment, retirement, or removal of a trustee or trustees as aforesaid, and shall be published by him within a period of three months from the date of such appointment, retirement, or removal in the Government Gazette; and the production of a copy of such Gazette shall be conclusive evidence that the person or persons named in such memorandum has or have been appointed, or has or have retired from, or has or have been removed from the position of trustee of the Church of Christ named in such memorandum.

Publication of memorandum certifying change of trustees.

19. Upon any sale, or mortgage, or lease by any trustee or trustees of any Church of Christ coming within the operation of this Act, the purchaser, mortgagee, or lessee shall be exonerated from seeing to the application of the moneys paid by him to such trustee or trustees, and from all liability in respect of the same, upon having produced to him a statutory declaration of the chairman of a special meeting convened in the manner hereinafter directed, showing that at such special meeting it was resolved by a two-thirds majority of the members of the said church present and voting at such meeting that the

Indemnity to purchasers.

Churches of Christ Property Management.

the sale, mortgage, or lease should be duly authorised, and that the deed of conveyance, mortgage, lease, or other instrument prepared in pursuance thereof properly evidences and carries out the desire of the said meeting, and that the person or persons executing the same is or
5 are the trustee or trustees of the Church of Christ so desiring to deal with the property.

20. A special meeting of the members of a Church of Christ coming within the operation of this Act, required to be convened for all or any of the purposes of this Act, shall be convened by the officer
10 or officers for the time being of such Church of Christ, or by him or them, at the request of not less than ten members of the said church, by causing to be affixed to some prominent and conspicuous part of the place of worship used by the members of the said church for the purposes of worship a notice in writing, specifying the time and place
15 of such meeting, and the nature of the business to be then and there discussed, at least two Sundays immediately preceding the date for which such special meeting shall be called, and by causing a copy of the said notice to be inserted in a daily or weekly newspaper circulating in the district in which the said place of worship is situated at least
20 once in each of the two weeks immediately preceding the date of the said meeting.

Special meeting—
how convened.

21. For the purposes of this Act only such male or female members of a Church of Christ coming within the operation of this Act whose names shall, from time to time, be and remain on the roll
25 of such Church of Christ according to the custom and practice of such church shall be allowed to vote in respect of the matters affected by and provided for in this Act: Provided always that no member under the age of twenty-one years shall be entitled to vote in respect of the matters affected by and provided for in this Act.

Persons entitled to
vote at special
meetings.

30 22. From and after the passing of this Act any Church of Christ applying to become associated hereunder shall, upon forwarding the declaration mentioned in section five of this Act, forward to the registrar or other person for the time being filling the office of registrar a statutory declaration showing the number of members on the roll of the Church of Christ applying for association, together
35 with the sum of one shilling for every such member as a capitation fee.

Fees payable in
future by churches
becoming associated
under this Act.

All sums received from time to time under this Act by way of capitation fees shall be applied in and to the administration of this Act, and to such other purposes as the officers of the Churches of
40 Christ associated under this Act shall by a two-thirds majority at any duly convened meeting decide.

SCHEDULES.

SCHEDULES.

FORM I.

5

1. At a special meeting of the members of the Church of Christ at _____, in the said State, duly convened in accordance with section twenty of the above-named Act, I was elected chairman of such meeting.

That, in the opinion of this meeting, it is desirable that the Church of Christ at aforesaid shall associate itself with the Churches of Christ now already associated under the Churches of Christ Property Management Act, 1906, for the purpose of taking the benefit of such Act.

3. The said motion was put by me to the vote of the members of such Church present at such meeting, and was carried by the vote of at least two-thirds of the members present and voting at the said meeting as required by section four of the above 20 Act.

Made and declared at this day of 1900, before me,

Certificate under section seven of the Churches of Christ Property Management Act, 1906.

At a special meeting, to which all the officers of the Churches of Christ now associated under the above Act were duly summoned in accordance with section six of the above Act, I was elected chairman of the meeting by such of the officers as were then present, and, in accordance with section seven, I submitted to the said meeting of officers, the following motion :—

35 “That, in the opinion of this meeting, it is desirable that the Church of Christ at [name of town or district], in the State of New South Wales, being the Church of Christ mentioned in the statutory declaration of _____, dated the _____ day of _____, 190____, should be declared by this meeting associated with the Churches of Christ now associated for the purpose of taking the benefit of the Churches of Christ Property Management Act, 1906.”

And I certify that the said motion was duly carried, and I thereupon declared the
said Church of Christ at duly associated according to the said Act.

A.B.,
Chairman.

C.D.,
Registrar under the above Act.
FORM

Churches of Christ Property Management.

FORM 3.

Declaration of trust under section thirteen of the Churches of Christ Property Management Act, 1906.

We [or I, as the case may be], of _____, in the State of New South
 5 Wales _____, do hereby declare that we are [or I am] the trustees [or trustee] of
 the Church of Christ, at _____, in the State of New South Wales, and that such
 Church of Christ is duly associated under the above Act, and that we [or I] hold all real
 estate belonging to the said Church of Christ, as more particularly described and set forth
 10 in the Schedule of lands described in the First Schedule hereto, and in the deeds and
 documents enumerated and set forth in the Second Schedule hereto, upon the trusts set
 forth and declared in and subject to the provisions of the Churches of Christ Property
 Management Act, 1906, relating to real estate of the respective Churches of Christ
 associated under the said Act.

As witness our hands this _____ day of _____, 190 _____.

15

THE FIRST SCHEDULE REFERRED TO.

All that piece or parcel of land [*here set out the different parcels*].

THE SECOND SCHEDULE REFERRED TO.

[*Here set out the various title deeds in the possession of the trustees.*]

Signed by the said _____ in the presence of _____

SCHEDULE.

SCHEDULE B.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Campbell-street, Sydney.	City Temple, Campbell- street, Sydney.	Joseph Stimson George Lillie Frederick Newby Edmund Gole John Francis Ashwood	Glebe Waterloo Paddington Enmore Sydney	Agent Ex-Civil Servant Carrier Accountant General merchant	All that parcel of land situated in the parish of Saint Lawrence, city of Sydney, county of Cumberland, and State of New South Wales, having a frontage of forty-three feet six inches to Campbell-street, and a frontage of thirty-seven feet eight inches to Blackburn-street by varying depths and bearings, as more particularly described in an indenture of conveyance dated the twenty-first day of August, one thousand eight hundred and ninety-five, registered number nine hundred and sixty-eight, book five hundred and sixty-three, from Alfred Rofe (therein described) to the said trustees and William Walker and Charles Grocock (both therein described, and both now deceased).
Metropolitan Road, Enmore.	"Tabernacle," Metro- politan Road, Enmore	John Kingsbury James Hunter John Bardsley	Enmore Dulwich Hill Stanmore	Draper Gentleman Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing twenty-nine and a quarter perches, being lots ninety-nine to one hundred and two inclusive, section two, as shown on a plan deposited at the Land Titles Office, Sydney, numbered one thousand one hundred and sixty-six, and being the whole of the land described in certificate of title dated the fourth day of April, one thousand eight hundred and eighty-four, registered volume six hundred and ninety-two, folio thirty-four.

SCHEDULE B—*continued.*

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Illawarra Road, Marrickville.	"Christians' Chapel," Illawarra Road, Mar- rickville.	John Hindle Charles Alfred Rofe Robert Miller James Hunter	Sydney Sydney Marrickville Dulwich Hill	Merchant Clerk Labourer Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing eighteen perches, being lots four, five, and six, as shown on a plan deposited in the Land Titles Office, Sydney, numbered two thousand five hundred and ninety-five, and being the whole of the land described in certificate of title dated the sixteenth day of January, one thousand eight hundred and ninety-two, registered volume one thousand and forty, folio two hundred and twelve.
Joseph-street, Rookwood.	"Christians' Chapel," Joseph-street, Rook- wood.	Edwin Andrews George Stimson Joseph Barlow	Rookwood Fairfield London, England	Monumental mason Commission agent Gentleman	All that parcel of land situated in the parish of Liberty Plains, county of Cumberland, and State of New South Wales, containing thirteen and three-quarter perches, and being the whole of the land described in certificate of title dated the eleventh day of October, one thousand eight hundred and eighty-six, registered volume eight hundred and eight, folio seventy-nine.
Paddington-street, Paddington.	"Tabernacle," Paddington-street, Paddington.	Richard Henry Fancourt George Parker Jones Arthur William Shearston James Prince Alexander Chapple Thomas Gabriel Alexander Bagley	Woollahra Paddington Waverley Woollahra Woollahra	Gentleman Builder Warehouseman Draper Evangelist	All that parcel of land situated at Paddington, parish of Alexandria, in the county of Cumberland, and State of New South Wales, containing twenty-three perches, being the whole of the land described in certificate of title, dated the eleventh day of December, one thousand eight hundred and seventy-five, registered volume two hundred and forty-three, folio sixty-two.

SCHEDULE B—*continued.*

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
c 79—0 Cannon-street, Petersham.	"Tabernacle," Cannon- street, Petersham.	James Hunter John Bardsley William James Edwards John Kingsbury Samuel Denford	Dulwich Hill Stanmore Enmore Enmore Petersham	Gentleman Gentleman Bootmaker Draper Bootmaker	All that parcel of land situated at Stanmore, parish of Petersham, county of Cumberland, and State of New South Wales, containing seventeen and a half perches, being lots eight and nine of section "M," as shown on a plan deposited at the Land Titles Office, Sydney, numbered two thousand nine hundred and ninety-two, and being the whole of the land described in certificate of title, dated the twenty-second day of April, one thousand nine hundred and one, registered volume one thousand three hundred and fifty, folio one hundred and forty-eight.
Dumaresque and Pitt streets, Chatham, Man- ning River.	"Christians' Chapel," Dumaresque and Pitt streets, Chatham, Manning River.	George Brown Newby John Newby, the younger James Collins Henry Edwards Amos Saxby George Scrivner	Dumaresque Island, Man- ning River. Chatham Dumaresque Island, Man- ning River. Cundletown, Manning River. Chatham Taree	Farmer Blacksmith Farmer Bootmaker Farmer Farmer	Firstly: All that parcel of land situated at Chatham, parish not named, county of Macquarie, and State of New South Wales, being portion of section thirty-five of the township of Chatham, and being the whole of the land described in conveyance dated the fifteenth day of August, one thousand eight hundred and seventy-one, registered number four hundred and twenty-one, book one hundred and twenty-six, from William Marshall to the said trustees and one John Green (therein described) and now deceased. Secondly: All that parcel of land situated at Taree, in the State of New South Wales, containing two roods, and being the land described in indenture of conveyance dated the twenty-sixth day of September, one thousand eight hundred and ninety-two, registered number nine hundred and one, book five hundred.

Churches of Christ Property Management.

Act, 1906.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Conway-street, Lismore.	"Tabernacle," Conway-street, Lismore.	James Peter Field Walker Frederick Ridgway Fur- longer James Wotherspoon	Lismore Lismore Lismore	Printer Law clerk Builder	All that parcel of land situated at Lismore, parish of Lismore, county of Rous, and State of New South Wales, containing nineteen and a half perches, being part of allotment eleven of section eight in the town of Lismore, and being the whole of the land described in conveyance dated the fourteenth day of July, one thousand nine hundred and four, registered number four hundred and sixteen, book seven hundred and sixty-three, from George Frederick Cottee and Charles Albert Barham (therein described) to the said trustees.
Junction-street, Merewether.	"Christians' Chapel," Junction-street, Merewether.	Charles Nisbet Joseph Bright James Russell Joseph Fraser George Beady	Merewether Merewether Merewether Merewether Merewether	Miner Railway employee Storekeeper Miner Gentleman	All that parcel of land situated in the parish of Newcastle, county of Northumberland, and State of New South Wales, containing fifteen and a quarter perches, being lot eleven A of section seven of Burwood township, as per plan prepared by Mr. Licensed Surveyor Reuss, junior, in the year one thousand eight hundred and seventy-six, being the land described in indenture of assignment of leasehold, dated the fourteenth day of May, one thousand eight hundred and ninety-eight, registered number nine hundred and eight, book six hundred and twenty-one, from Edward Tayior to the said trustees.

Churches of Christ Property Management.

Act, 1906.

Legislative Council.

1906.

A BILL

To rescind all trusts existing in respect of or relating to certain real properties belonging to various respective Churches of Christ in the State of New South Wales set forth in Schedule B of this Bill, and to substitute certain other trusts in lieu of the trusts rescinded, and to provide an efficient mode of dealing with such real properties, and to provide a scheme of association for the present and future Churches of Christ, whereby the said Churches of Christ coming within such association may be freed from disabilities attaching to their respective real properties by reason of the trusts relating to same.

(As amended and agreed to in Select Committee.)

WHEREAS, in the State of New South Wales, certain persons are ^{Preamble.} members (as defined in section two, subsection—(b) of this Act) of congregations at various places in the said State, which said congregations are known as and designated “Churches of Christ”:

86191

c 79—A

And

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

And whereas a number of the said Churches of Christ have from time to time acquired real properties in the said State, which are now vested in various respective persons as trustees for and on behalf of the said respective Churches of Christ upon certain trusts: And whereas certain of the said Churches of Christ mentioned in Schedule B to this Act are desirous that the trusts relating to the respective real property acquired by them through their trustees should be repealed, and that henceforth the persons named as the trustees in the said Schedule B for each respective property as is therein described and set opposite to the names of such trustees shall respectively hold each respective property for the Church of Christ respectively named with them in such Schedule, upon the trusts, powers, and authorities hereinafter set forth and declared concerning the same, and that the said Churches of Christ may for the purposes of this Act be associated, and may style themselves "Churches of Christ," and may have the powers hereinafter set forth and declared under such association: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Churches of Christ Property Management Act, 1906."

Definitions.

2. In this Act, and for the purposes of this Act,—

"Church of Christ" shall mean the whole of the members whose names are for the time being on the roll of any particular congregation known or styled as a Church of Christ at any particular place in the State of New South Wales.

"Member" shall mean any person who, after public confession of his or her faith in the Lord Jesus Christ, and after repentance towards God, has been immersed into the name of the Father, Son, and Holy Spirit, and who, after such confession and immersion, shall have his or her name inserted and remaining upon the roll of persons belonging to any Church of Christ according to the custom and practice of such church.

"Officer" shall mean a duly enrolled member of a Church of Christ who shall in such church have been elected to the office or offices commonly known in the Churches of Christ as elder or deacon according to the custom of such church.

"Registrar" shall mean the person appointed to the office of Registrar at and by a duly convened meeting of the officers of the Churches of Christ associated under this Act.

Saving clause.

3. Nothing in this Act contained shall be held to affect the Government of any Church of Christ coming under the operation of this Act in any matter not expressly referred to in this Act.

4.

4. After the passing of this Act the officer or officers, or a majority of such officers, for the time being of any Church of Christ at any place in the State of New South Wales not originally associated by this Act, and not included in the scope and benefit of this Act, may convene, in the manner hereinafter provided, a special meeting of the members of the church of which he or they is or are the duly elected officer or officers, and at such meeting the members of such church shall elect one of their number present to be chairman of the said meeting, and any member present may at such special meeting propose a motion in the form set out in clause two of form one in Schedule A to this Act, which said motion shall be duly seconded, and after discussion being permitted thereon by the chairman, he shall put the motion to the vote of the members of such church present at such meeting, and the same shall be deemed carried if two-thirds of the members present and voting shall vote in favour of the said motion.

Steps to be taken by churches not originally associated to obtain benefits under this Act.

5. If the said motion shall be carried as aforesaid, the said chairman shall make a statutory declaration verifying the said motion in the form set forth in form one of Schedule A to this Act, and shall forthwith cause the said declaration to be sent by registered post to the registrar to be appointed under this Act, or, if there be at any time no such registrar, then to the secretary for the time being of the Church of Christ at Enmore, who shall at all times have all the powers and perform all the duties of registrar until a registrar is appointed as required by this Act.

Statutory declaration by chairman.

6. After the said declaration in the last preceding section mentioned shall have been received by the registrar (or by the secretary of the Church of Christ at Enmore, if there be no such registrar), the registrar (or the said secretary) shall convene, by written notice posted to the secretary of each and every Church of Christ associated under this Act, a special meeting of the officers of the Churches of Christ then associated under this Act, for the purpose of granting or refusing association under this Act, as the case may be, to the Church of Christ then not so associated and seeking such association as aforesaid.

Meeting of officers of associated churches.

7. At any such special meeting of the officers of all the Churches of Christ then associated under this Act, such officers as shall be present at such meeting shall elect one of their number to be chairman thereof, and such chairman shall, without requiring the same to be moved or seconded, thereupon submit to the said meeting of officers a motion to the effect of the motion set out in form two of Schedule A, and, after discussion thereon being permitted by the chairman of the said meeting, the said chairman shall put the said motion to the vote of the said meeting of officers, and the same shall be deemed carried if two-thirds of the officers present and voting shall vote in favour of the said motion.

Proceedings at meetings of officers of associated churches.

Certificate to be given.

Appointment of
registrar.

8. For the purpose of giving effect to this Act, there shall be appointed, at a duly convened meeting of the officers of the Churches of Christ associated under this Act, a registrar, who shall keep all records of the association provided for by this Act, and sign all notices or certificates required to be signed or countersigned by him under this Act, and who shall act in such capacity until his successor is appointed by the officers of the Churches of Christ associated under this Act, at a duly convened meeting, and who shall convene all future meetings of officers of the Churches of Christ associated under this Act intended to be held to give effect to this Act. 5 10

Publication of
certificate under
section 7.

9. If the motion in section seven mentioned shall be carried as aforesaid, the said chairman shall give a certificate, countersigned by the said registrar, in the form set forth in form two of Schedule A to this Act, and the registrar shall forthwith cause a true copy of the said certificate to be published in the Government Gazette; and, from 15 and after the date of the said publication, the said certificate shall be binding and conclusive on all members of the Church of Christ mentioned therein, and the Church of Christ so seeking to be associated shall, from and after the date of the said publication, be deemed duly associated with the Churches of Christ then already 20 associated under this Act for the purposes of this Act, and shall be entitled to have and take the benefit of this Act in the matters herein mentioned.

Rescission of existing
trusts relating to
lands, &c., mentioned
in Schedule.

10. The respective trustee or trustees, named in Schedule B to this Act, shall, from and after the date of this Act, hold the respective 25 lands and buildings standing in his or their respective name or names as trustee or trustees of the Church of Christ respectively named and mentioned in the said Schedule opposite to the name or names of any such trustee or trustees, freed and absolutely discharged of and from the trusts and equities heretofore declared or existing, in favour of the 30 members of the said respective Church of Christ of which he or they is or are trustee or trustees, and shall thenceforth hold the same, subject to the provisions of this Act, and upon the trusts declared and set out in section fourteen of this Act, and with the powers therein and elsewhere in this Act expressed. 35

Rescission of trusts
relating to lands, &c.,
of churches hereafter
becoming associated.

11. The trustees of any Church of Christ hereafter becoming declared associated in the manner hereinbefore provided shall, from and after the date of the publication of the certificate mentioned in section nine of this Act, hold the lands and buildings standing in their names as trustees for such Church of Christ freed and absolutely 40 discharged of and from the trusts and equities declared or existing in favour of the members of such Church of Christ for whom they have theretofore held the said lands and buildings in trust, and shall thenceforth hold the same subject to the provisions of this Act, and upon trusts declared and set out in section fourteen subsections (a), (b), 45 and (c) of this Act, and with the powers therein and elsewhere in this Act expressed. 12.

12. Nothing provided in this Act shall be taken to affect any legal or equitable mortgage, or any conveyance or contract made before the passing of this Act by the trustee or trustees of any Church of Christ associated or becoming associated under this Act with any person or persons for valuable consideration and bona fide, without notice of the trusts affecting the lands and buildings purported to have been mortgaged, conveyed, or otherwise become the subject matter of any contract as aforesaid. Saving as to certain rights existing.

13. From and after the date of this Act, the trustees of the lands and buildings of the Churches of Christ, now named in the said Schedule B to this Act, and of any other Church of Christ hereafter coming within the operation of this Act shall and must, within three months from the date on which such church shall have come within such operation, make and register a declaration of trust in the form set forth in form three of Schedule A to this Act, and such registration shall be effected either in the office for the registration of deeds or in the Land Titles Office according to the title existing in respect of such lands and buildings, and upon such registration as aforesaid the Registrar-General may mark any deeds or documents in his possession prior to the date before mentioned, or which shall thereafter come into his possession relating to the said trusts as being subject to such trusts, and may, on such proof being furnished as he shall require, remove any caveat entered by him or any other person. Trusts to be registered.

14. From and after the date of this Act, as provided in section ten, or the date of the publication of the certificate, as provided in section eleven, the trustees of the lands of every Church of Christ associated in the manner herein prescribed shall hold the lands and buildings standing in their names as such trustees freed and discharged as herein provided of and from all trusts and equities affecting the same, and shall thenceforth hold the same for and on behalf of the Church of Christ to which those lands belonged, and for which they, the said trustees, have theretofore held the same, but subject to the following trusts and with the following powers, that is to say:— Trusts substituted for those rescinded.

(a) Upon trust at all times thereafter to permit the lands and buildings of which they are trustees as aforesaid to be used for the purpose of the worship of God in public by the members for the time being of the Church of Christ at the place where the lands and buildings are situated according to the faith and doctrine of the Churches of Christ associated under this Act in the State of New South Wales. And, furthermore, to permit the said buildings to be used for the instruction of children and adults, and for the promotion of religious and philanthropic objects and purposes, and for such other purposes as the officers of the said church, or a majority of them, shall from time to time decide, and, under

under the direction of a special meeting or special meetings of the said church, convened in the manner hereinafter provided, to permit the said buildings to be altered, enlarged, repaired, taken down, and wholly or partially rebuilt, and also to permit any other building or buildings to be erected upon the said lands for the purposes of the said Church of Christ. 5

(b) Upon further trust, by and at the direction of a two-thirds majority vote of the members of the said church present, and voting at a special meeting convened as herein provided, 10 and held for that purpose, to raise such sum or sums of money as the said special meeting by such majority shall direct, by mortgage over the lands and buildings of the said church, or over any portion thereof; and upon trust, at the like direction, to sell or lease the whole or any part of the 15 said lands and buildings upon such terms and conditions as the said members shall, at such special meeting by a two-thirds majority of those present and voting, decide.

(c) Upon further trust, from time to time, to apply the moneys coming to their hands under any of the trusts declared by 20 this Act in and towards the purposes of the administration of the said church, as directed by the two-thirds majority vote of any such meeting as aforesaid.

Appointment of new trustees.

15. (1) The powers of appointing new trustees, conferred by section six (1) of the Trustee Act of 1898, when and so far as any of 25 the events therein provided for may happen in connection with the trusts referred to in this Act shall apply to the said trusts.

(2) Further, the surviving or continuing trustee or trustees of any Churches of Christ associated under this Act, or of any other Church of Christ hereafter coming within the operation of this Act, 30 shall, at any time hereafter, when requested by two-thirds of the members of the Church of Christ for which he or they is or are trustee or trustees present, and voting at a special meeting convened in accordance with the provisions of this Act, and for that purpose appoint as new trustee or trustees for the said church any person or 35 persons who shall have been elected to the position of trustee or trustees by a two-thirds majority of members present, and voting at such special meeting as aforesaid.

(3) In the event of the surviving or continuing trustee dying or refusing to make such appointment, or becoming incapable 40 of making such appointment, or leaving the Commonwealth of Australia, or whose address shall become unknown, then such person or persons as shall have been elected to the position of trustee or trustees as aforesaid shall be deemed duly appointed, without any instrument under the hand of the former trustees so dying, refusing, 45 becoming incapable of, or leaving, or whose address shall become unknown as aforesaid.

16. (1) So often as any new trustee or new trustees is or are appointed in accordance with section fifteen, subsections one, two, or three of this Act, all the property (if any) for the time being, vested in the surviving or continuing trustee or trustees, or in the executor or
5 administrator of any trustees, or in the Chief Justice or senior Puisne Judge for the time being, by virtue of the Wills, Probate, and Administration Act of 1898, or any Act consolidating or amending the same, and (subject to the trust in respect of which the new trustee or new trustees is or are appointed) shall, by virtue of the instrument
10 which created the trusts, and by virtue of this Act, and without other assurance in the law, become and be conveyed, assigned, and transferred so that the same shall thereupon become and be legally and effectually vested in such new trustee or new trustees, either solely or jointly with the surviving or continuing trustee or trustees,
15 as the case may require.

Vesting of estate in newly appointed trustees.

(2) Every new trustee to be appointed as aforesaid shall have the same powers, authorities, and discretions, and shall, in all respects, act as if he had been originally nominated a trustee by the instrument creating the trust.

20 17. A special meeting of the members of any Church of Christ coming within the operation of this Act, duly convened in accordance with the provisions of this Act, may remove any trustee or trustees, provided that two-thirds of the members present and voting at such meeting consent to the said removal.

Removal of trustees;

25 18. After every appointment, retirement, or removal of a trustee or trustees as aforesaid, a memorandum in writing setting forth the names in full of every trustee so appointed, retired, or removed, shall be signed by the chairman of the special meeting of the Church of Christ which dealt with the appointment, retirement, or removal of
30 a trustee or trustees as aforesaid, and shall be published by him within a period of three months from the date of such appointment, retirement, or removal in the Government Gazette; and the production of a copy of such Gazette shall be conclusive evidence that the person or persons named in such memorandum has or have been appointed, or has or have
35 retired from, or has or have been removed from the position of trustee of the Church of Christ named in such memorandum.

a Publication of memorandum certifying change of trustees.

19. Upon any sale, or mortgage, or lease by any trustee or trustees of any Church of Christ coming within the operation of this Act, the purchaser, mortgagee, or lessee shall be exonerated from
40 seeing to the application of the moneys paid by him to such trustee or trustees, and from all liability in respect of the same, upon having produced to him a statutory declaration of the chairman of a special meeting convened in the manner hereinafter directed, showing that at such special meeting it was resolved by a two-thirds majority of the
45 members of the said church present and voting at such meeting that
the

Indemnity to purchasers.

the sale, mortgage, or lease should be duly authorised, and that the deed of conveyance, mortgage, lease, or other instrument prepared in pursuance thereof properly evidences and carries out the desire of the said meeting, and that the person or persons executing the same is or are the trustee or trustees of the Church of Christ so desiring to deal with the property. 5

Special meeting—
how convened.

20. A special meeting of the members of a Church of Christ coming within the operation of this Act, required to be convened for all or any of the purposes of this Act, shall be convened by the officer or officers for the time being of such Church of Christ, or by him or them, at the request of not less than ten members of the said church, by causing to be affixed to some prominent and conspicuous part of the place of worship used by the members of the said church for the purposes of worship a notice in writing, specifying the time and place of such meeting, and the nature of the business to be then and there discussed, at least two Sundays immediately preceding the date for which such special meeting shall be called, and by causing a copy of the said notice to be inserted in a daily or weekly newspaper circulating in the district in which the said place of worship is situated at least once in each of the two weeks immediately preceding the date of the said meeting. 10 15 20

Persons entitled to
vote at special
meetings.

21. For the purposes of this Act only such male or female members of a Church of Christ coming within the operation of this Act whose names shall, from time to time, be and remain on the roll of such Church of Christ according to the custom and practice of such church shall be allowed to vote in respect of the matters affected by and provided for in this Act: Provided always that no member under the age of twenty-one years shall be entitled to vote in respect of the matters affected by and provided for in this Act. 25

Fees payable in
future by churches
becoming associated
under this Act.

22. From and after the passing of this Act any Church of Christ applying to become associated hereunder shall, upon forwarding the declaration mentioned in section five of this Act, forward to the registrar or other person for the time being filling the office of registrar a statutory declaration showing the number of members on the roll of the Church of Christ applying for association, together with the sum of one shilling for every such member as a capitation fee. 30 35

All sums received from time to time under this Act by way of capitation fees shall be applied in and to the administration of this Act, and to such other purposes as the officers of the Churches of Christ associated under this Act shall by a two-thirds majority at any duly convened meeting decide. 40

SCHEDULES.

SCHEDULES.

SCHEDULE A.

FORM I.

Statutory declaration under section five of the Churches of Christ Property Management Act, 1906.

5

I, A.B., of in the State of New South Wales, do hereby solemnly and sincerely declare as follows :—

1. At a special meeting of the members of the Church of Christ at in the said State, duly convened in accordance with section twenty of the above-named 10 Act, I was elected chairman of such meeting.

2. At such meeting the following motion was proposed by Mr. C. D. and seconded by Mr. E. F., namely :—

That, in the opinion of this meeting, it is desirable that the Church of Christ at aforesaid shall associate itself with the Churches of Christ now 15 already associated under the Churches of Christ Property Management Act, 1906, for the purpose of taking the benefit of such Act.

3. The said motion was put by me to the vote of the members of such Church present at such meeting, and was carried by the vote of at least two-thirds of the members present and voting at the said meeting as required by section four of the above 20 Act.

And I make this solemn declaration as to the matters aforesaid, conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900.

A.B.

Made and declared at this day of 1900, before me, J.P.

25

FORM 2.

Certificate under section seven of the Churches of Christ Property Management Act, 1906.

At a special meeting, to which all the officers of the Churches of Christ now associated under the above Act were duly summoned in accordance with section six of 30 the above Act, I was elected chairman of the meeting by such of the officers as were then present, and, in accordance with section seven, I submitted to the said meeting of officers, the following motion :—

“That, in the opinion of this meeting, it is desirable that the Church of Christ at [name of town or district], in the State of New South Wales, being the Church 35 of Christ mentioned in the statutory declaration of , dated the day of , 190 , should be declared by this meeting associated with the Churches of Christ now associated for the purpose of taking the benefit of the Churches of Christ Property Management Act, 1906.”

And I certify that the said motion was duly carried, and I thereupon declared the 40 said Church of Christ at duly associated according to the said Act.

A.B.,

Chairman.

C.D.,

Registrar under the above Act.

FORM

Churches of Christ Property Management.

FORM 3.

Declaration of trust under section thirteen of the Churches of Christ Property Management Act, 1906.

We [or I, as the case may be], of _____, in the State of New South Wales _____, do hereby declare that we are [or I am] the trustees [or trustee] of the Church of Christ, at _____, in the State of New South Wales, and that such Church of Christ is duly associated under the above Act, and that we [or I] hold all real estate belonging to the said Church of Christ, as more particularly described and set forth in the Schedule of lands described in the First Schedule hereto, and in the deeds and documents enumerated and set forth in the Second Schedule hereto, upon the trusts set forth and declared in and subject to the provisions of the Churches of Christ Property Management Act, 1906, relating to real estate of the respective Churches of Christ associated under the said Act.

As witness our hands this _____ day of _____, 190 _____.

THE FIRST SCHEDULE REFERRED TO.

All that piece or parcel of land [here set out the different parcels].

THE SECOND SCHEDULE REFERRED TO.

[Here set out the various title deeds in the possession of the trustees.]

Signed by the said _____ in the presence of _____

SCHEDULE

SCHEDULE B.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be-vested.	Address.	Occupation.	Short description of lands.
Campbell-street, Sydney.	City Temple, Campbell-street, Sydney.	Joseph Stimson George Lillie Frederick Newby Edmund Gole John Francis Ashwood	Glebe Waterloo Paddington Enmore Sydney	Agent Ex-Civil Servant Carrier Accountant General merchant	All that parcel of land situated in the parish of Saint Lawrence, city of Sydney, county of Cumberland, and State of New South Wales, having a frontage of forty-three feet six inches to Campbell-street, and a frontage of thirty-seven feet eight inches to Blackburn-street by varying depths and bearings, as more particularly described in an indenture of conveyance dated the twenty-first day of August, one thousand eight hundred and ninety-five, registered number nine hundred and sixty-eight, book five hundred and sixty-three, from Alfred Rofe (therein described) to the said trustees and William Walker and Charles Grocock (both therein described, and both now deceased).
Metropolitan Road, Enmore.	"Tabernacle," Metropolitan Road, Enmore	John Kingsbury James Hunter John Bardsley	Enmore Dulwich Hill Stanmore	Draper Gentleman Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing twenty-nine and a quarter perches, being lots ninety-nine to one hundred and two inclusive, section two, as shown on a plan deposited at the Land Titles Office, Sydney, numbered one thousand one hundred and sixty-six, and being the whole of the land described in certificate of title dated the fourth day of April, one thousand eight hundred and eighty-four, registered volume six hundred and ninety-two, folio thirty-four.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Illawarra Road, Marrickville.	"Christians' Chapel," Illawarra Road, Mar- rickville.	John Hindle Charles Alfred Rofe Robert Miller James Hunter	Sydney Sydney Marrickville Dulwich Hill	Merchant Clerk Labourer Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing eighteen perches, being lots four, five, and six, as shown on a plan deposited in the Land Titles Office, Sydney, numbered two thousand five hundred and ninety-five, and being the whole of the land described in certificate of title dated the sixteenth day of January, one thousand eight hundred and ninety-two, registered volume one thousand and forty, folio two hundred and twelve.
Joseph-street, Rookwood.	"Christians' Chapel," Joseph-street, Rook- wood.	Edwin Andrews George Stimson Joseph Barlow	Rookwood Fairfield London, England	Monumental mason Commission agent Gentleman	All that parcel of land situated in the parish of Liberty Plains, county of Cumberland, and State of New South Wales, containing thirteen and three-quarter perches, and being the whole of the land described in certificate of title dated the eleventh day of October, one thousand eight hundred and eighty-six, registered volume eight hundred and eight, folio seventy-nine.
Paddington-street, Paddington.	"Tabernacle," Paddington-street, Paddington.	Richard Henry Fancourt George Parker Jones Arthur William Shearston James Prince Alexander Chapple Thomas Gabriel Alexander Bagley	Woollahra Paddington Waverley Woollahra Woollahra	Gentleman Builder Warehouseman Draper Evangelist	All that parcel of land situated at Paddington, parish of Alexandria, in the county of Cumberland, and State of New South Wales, containing twenty-three perches, being the whole of the land described in certificate of title, dated the eleventh day of December, one thousand eight hundred and seventy-five, registered volume two hundred and forty-three, folio sixty-two.

SCHEDULE B—*continued.*

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Cannon-street, Petersham.	"Tabernacle," Cannon- street, Petersham.	James Hunter John Bardsley William James Edwards John Kingsbury Samuel Denford	Dulwich Hill Stanmore Enmore Enmore Petersham	Gentleman Gentleman Bootmaker Draper Bootmaker	All that parcel of land situated at Stanmore, parish of Petersham, county of Cumberland, and State of New South Wales, containing seventeen and a half perches, being lots eight and nine of section "M," as shown on a plan deposited at the Land Titles Office, Sydney, numbered two thousand nine hundred and ninety-two, and being the whole of the land described in certificate of title, dated the twenty-second day of April, one thousand nine hundred and one, registered volume one thousand three hundred and fifty, folio one hundred and forty-eight.
Dumaresque and Pitt streets, Chatham, Man- ning River.	"Christians' Chapel," Dumaresque and Pitt streets, Chatham, Manning River.	George Brown Newby John Newby, the younger James Collins Henry Edwards Amos Saxby George Scrivner	Dumaresque Island, Man- ning River. Chatham Dumaresque Island, Man- ning River. Cundletown, Manning River. Chatham Taree	Farmer Blacksmith Farmer Bootmaker Farmer Farmer	Firstly: All that parcel of land situated at Chatham, parish not named, county of Macquarie, and State of New South Wales, being portion of section thirty-five of the township of Chatham, and being the whole of the land described in conveyance dated the fifteenth day of August, one thousand eight hundred and seventy-one, registered number four hundred and twenty-one, book one hundred and twenty-six, from William Marshall to the said trustees and one John Green (therein described) and now deceased. Secondly: All that parcel of land situated at Taree, in the State of New South Wales, containing two roods, and being the land described in indenture of conveyance dated the twenty-sixth day of September, one thousand eight hundred and ninety-two, registered number nine hundred and one, book five hundred.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Conway-street, Lis- more.	"Tabernacle," Conway- street, Lismore.	James Peter Field Walker Frederick Ridgway Fur- longer James Wotherspoon	Lismore Lismore Lismore	Printer Law clerk Builder	All that parcel of land situated at Lismore, parish of Lismore, county of Rous, and State of New South Wales, containing nineteen and a half perches, being part of allotment eleven of section eight in the town of Lismore, and being the whole of the land described in con- veyance dated the fourteenth day of July, one thousand nine hundred and four, registered number four hundred and sixteen, book seven hundred and sixty-three, from George Frederick Cottey and Charles Albert Barham (therein described) to the said trustees.
Junction-street, Merewether.	"Christians' Chapel," Junction-street, Merewether.	Charles Nisbet Joseph Bright James Russell Joseph Fraser George Beady	Merewether Merewether Merewether Merewether Merewether	Miner Railway employee Storekeeper Miner Gentleman	All that parcel of land situated in the parish of Newcastle, county of Northumberland, and State of New South Wales, containing fifteen and a quarter perches, being lot eleven A of section seven of Burwood township, as per plan prepared by Mr. Licensed Surveyor Reuss, junior, in the year one thousand eight hundred and seventy-six, being the land described in indenture of assignment of lease- hold, dated the fourteenth day of May, one thousand eight hundred and ninety-eight, registered number nine hundred and eight, book six hundred and twenty-one, from Edward Tayior to the said trustees.

[18.]

Sydney : William Applegate Gullick, Government Printer. — 1906.

1906.

A BILL

To rescind all trusts existing in respect of or relating to certain real properties belonging to various respective Churches of Christ in the State of New South Wales set forth in Schedule B of this Bill, and to substitute certain other trusts in lieu of the trusts rescinded, and to provide an efficient mode of dealing with such real properties, and to provide a scheme of association for the present and future Churches of Christ, whereby the said Churches of Christ coming within such association may be freed from disabilities attaching to their respective real properties by reason of the trusts relating to same.

WHEREAS, in the State of New South Wales, certain persons are members (as defined in section two, subsection (b) of this Act) of congregations at various places in the said State, which said congregations are known as and designated "Churches of Christ":

Preamble.

184—A.

And

And whereas a number of the said Churches of Christ have from time to time acquired real properties in the said State, which are now vested in various respective persons as trustees for and on behalf of the said respective Churches of Christ upon certain trusts: And whereas certain of the said Churches of Christ mentioned in Schedule B to this Act are desirous that the trusts relating to the respective real property acquired by them through their trustees should be repealed, and that henceforth the persons named as the trustees in the said Schedule B for each respective property as is therein described and set opposite to the names of such trustees shall respectively hold each respective property for the Church of Christ respectively named with them in such Schedule, upon the trusts, powers, and authorities hereinafter set forth and declared concerning the same, and that the said Churches of Christ may for the purposes of this Act be associated, and may style themselves "Churches of Christ," and may have the powers hereinafter set forth and declared under such association: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Churches of Christ Property Management Act, 1906."

Definitions.

2. In this Act, and for the purposes of this Act,—

"Church of Christ" shall mean the whole of the members whose names are for the time being on the roll of any particular congregation known or styled as a Church of Christ at any particular place in the State of New South Wales.

"Member" shall mean any person who, after public confession of his or her faith in the Lord Jesus Christ, and after repentance towards God, has been immersed into the name of the Father, Son, and Holy Spirit, and who, after such confession and immersion, shall have his or her name inserted and remaining upon the roll of persons belonging to any Church of Christ according to the custom and practice of such church.

"Officer" shall mean a duly enrolled member of a Church of Christ who shall in such church have been elected to the office or offices commonly known in the Churches of Christ as elder or deacon according to the custom of such church.

"Registrar" shall mean the person appointed to the office of Registrar at and by a duly convened meeting of the officers of the Churches of Christ associated under this Act.

Saving clause.

3. Nothing in this Act contained shall be held to affect the Government of any Church of Christ coming under the operation of this Act in any matter not expressly referred to in this Act.

4.

4. After the passing of this Act the officer or officers, or a majority of such officers, for the time being of any Church of Christ at any place in the State of New South Wales not originally associated by this Act, and not included in the scope and benefit of this Act, may convene, in the manner hereinafter provided, a special meeting of the members of the church of which he or they is or are the duly elected officer or officers, and at such meeting the members of such church shall elect one of their number present to be chairman of the said meeting, and any member present may at such special meeting propose a motion in the form set out in clause two of form one in Schedule A to this Act, which said motion shall be duly seconded, and after discussion being permitted thereon by the chairman, he shall put the motion to the vote of the members of such church present at such meeting, and the same shall be deemed carried if two-thirds of the members present and voting shall vote in favour of the said motion.

Steps to be taken by churches not originally associated to obtain benefits under this Act.

5. If the said motion shall be carried as aforesaid, the said chairman shall make a statutory declaration verifying the said motion in the form set forth in form one of Schedule A to this Act, and shall forthwith cause the said declaration to be sent by registered post to the registrar to be appointed under this Act, or, if there be at any time no such registrar, then to the secretary for the time being of the Church of Christ at Enmore, who shall at all times have all the powers and perform all the duties of registrar until a registrar is appointed as required by this Act.

Statutory declaration by chairman.

6. After the said declaration in the last preceding section mentioned shall have been received by the registrar (or by the secretary of the Church of Christ at Enmore, if there be no such registrar), the registrar (or the said secretary) shall convene, by written notice posted to the secretary of each and every Church of Christ associated under this Act, a special meeting of the officers of the Churches of Christ then associated under this Act, for the purpose of granting or refusing association under this Act, as the case may be, to the Church of Christ then not so associated and seeking such association as aforesaid.

Meeting of officers of associated churches.

7. At any such special meeting of the officers of all the Churches of Christ then associated under this Act, such officers as shall be present at such meeting shall elect one of their number to be chairman thereof, and such chairman shall, without requiring the same to be moved or seconded, thereupon submit to the said meeting of officers a motion to the effect of the motion set out in form two of Schedule A, and, after discussion thereon being permitted by the chairman of the said meeting, the said chairman shall put the said motion to the vote of the said meeting of officers, and the same shall be deemed carried if two-thirds of the officers present and voting shall vote in favour of the said motion.

Proceedings at meetings of officers of associated churches.

Certificate to be given.

Appointment of
registrar.

8. For the purpose of giving effect to this Act, there shall be appointed, at a duly convened meeting of the officers of the Churches of Christ associated under this Act, a registrar, who shall keep all records of the association provided for by this Act, and sign all notices or certificates required to be signed or countersigned by him under this Act, and who shall act in such capacity until his successor is appointed by the officers of the Churches of Christ associated under this Act, at a duly convened meeting, and who shall convene all future meetings of officers of the Churches of Christ associated under this Act intended to be held to give effect to this Act. 5 10

Publication of
certificate under
section 7.

9. If the motion in section seven mentioned shall be carried as aforesaid, the said chairman shall give a certificate, countersigned by the said registrar, in the form set forth in form two of Schedule A to this Act, and the registrar shall forthwith cause a true copy of the said certificate to be published in the Government Gazette; and, from 15 and after the date of the said publication, the said certificate shall be binding and conclusive on all members of the Church of Christ mentioned therein, and the Church of Christ so seeking to be associated shall, from and after the date of the said publication, be deemed duly associated with the Churches of Christ then already 20 associated under this Act for the purposes of this Act, and shall be entitled to have and take the benefit of this Act in the matters herein mentioned.

Rescission of existing
trusts relating to
lands, &c., mentioned
in Schedule.

10. The respective trustee or trustees, named in Schedule B to this Act, shall, from and after the date of this Act, hold the respective 25 lands and buildings standing in his or their respective name or names as trustee or trustees of the Church of Christ respectively named and mentioned in the said Schedule opposite to the name or names of any such trustee or trustees, freed and absolutely discharged of and from the trusts and equities heretofore declared or existing, in favour of the 30 members of the said respective Church of Christ of which he or they is or are trustee or trustees, and shall thenceforth hold the same, subject to the provisions of this Act, and upon the trusts declared and set out in section fourteen of this Act, and with the powers therein and elsewhere in this Act expressed. 35

Rescission of trusts
relating to lands, &c.,
of churches hereafter
becoming associated.

11. The trustees of any Church of Christ hereafter becoming declared associated in the manner hereinbefore provided shall, from and after the date of the publication of the certificate mentioned in section nine of this Act, hold the lands and buildings standing in their names as trustees for such Church of Christ freed and absolutely 40 discharged of and from the trusts and equities declared or existing in favour of the members of such Church of Christ for whom they have theretofore held the said lands and buildings in trust, and shall thenceforth hold the same subject to the provisions of this Act, and upon trusts declared and set out in section fourteen subsections (a), (b), 45 and (c) of this Act, and with the powers therein and elsewhere in this Act expressed. 12.

12. Nothing provided in this Act shall be taken to affect any legal or equitable mortgage, or any conveyance or contract made before the passing of this Act by the trustee or trustees of any Church of Christ associated or becoming associated under this Act with any person or persons for valuable consideration and bona fide, without notice of the trusts affecting the lands and buildings purported to have been mortgaged, conveyed, or otherwise become the subject matter of any contract as aforesaid. Saving as to certain rights existing.

13. From and after the date of this Act, the trustees of the lands and buildings of the Churches of Christ, now named in the said Schedule B to this Act, and of any other Church of Christ hereafter coming within the operation of this Act shall and must, within three months from the date on which such church shall have come within such operation, make and register a declaration of trust in the form set forth in form three of Schedule A to this Act, and such registration shall be effected either in the office for the registration of deeds or in the Land Titles Office according to the title existing in respect of such lands and buildings, and upon such registration as aforesaid the Registrar-General may mark any deeds or documents in his possession prior to the date before mentioned, or which shall thereafter come into his possession relating to the said trusts as being subject to such trusts, and may, on such proof being furnished as he shall require, remove any caveat entered by him or any other person. Trusts to be registered.

14. From and after the date of this Act, as provided in section ten, or the date of the publication of the certificate, as provided in section eleven, the trustees of the lands of every Church of Christ associated in the manner herein prescribed shall hold the lands and buildings standing in their names as such trustees freed and discharged as herein provided of and from all trusts and equities affecting the same, and shall thenceforth hold the same for and on behalf of the Church of Christ to which those lands belonged, and for which they, the said trustees, have theretofore held the same, but subject to the following trusts and with the following powers, that is to say:— Trusts substituted for those rescinded.

(a) Upon trust at all times thereafter to permit the lands and buildings of which they are trustees as aforesaid to be used for the purpose of the worship of God in public by the members for the time being of the Church of Christ at the place where the lands and buildings are situated according to the faith and doctrine of the Churches of Christ associated under this Act in the State of New South Wales. And, furthermore, to permit the said buildings to be used for the instruction of children and adults, and for the promotion of religious and philanthropic objects and purposes, and for such other purposes as the officers of the said church, or a majority of them, shall from time to time decide, and, under

under the direction of a special meeting or special meetings of the said church, convened in the manner hereinafter provided, to permit the said buildings to be altered, enlarged, repaired, taken down, and wholly or partially rebuilt, and also to permit any other building or buildings to be erected upon the said lands for the purposes of the said Church of Christ. 5

- (b) Upon further trust, by and at the direction of a two-thirds majority vote of the members of the said church present, and voting at a special meeting convened as herein provided, 10 and held for that purpose, to raise such sum or sums of money as the said special meeting by such majority shall direct, by mortgage over the lands and buildings of the said church, or over any portion thereof; and upon trust, at the like direction, to sell or lease the whole or any part of the 15 said lands and buildings upon such terms and conditions as the said members shall, at such special meeting by a two-thirds majority of those present and voting, decide.
- (c) Upon further trust, from time to time, to apply the moneys coming to their hands under any of the trusts declared by 20 this Act in and towards the purposes of the administration of the said church, as directed by the two-thirds majority vote of any such meeting as aforesaid.

Appointment of new trustees.

15. (1) The powers of appointing new trustees, conferred by section six (1) of the Trustee Act of 1898, when and so far as any of 25 the events therein provided for may happen in connection with the trusts referred to in this Act shall apply to the said trusts.

(2) Further, the surviving or continuing trustee or trustees of any Churches of Christ associated under this Act, or of any other Church of Christ hereafter coming within the operation of this Act, 30 shall, at any time hereafter, when requested by two-thirds of the members of the Church of Christ for which he or they is or are trustee or trustees present, and voting at a special meeting convened in accordance with the provisions of this Act, and for that purpose appoint as new trustee or trustees for the said church any person or 35 persons who shall have been elected to the position of trustee or trustees by a two-thirds majority of members present, and voting at such special meeting as aforesaid.

(3) In the event of the surviving or continuing trustee dying or refusing to make such appointment, or becoming incapable 40 of making such appointment, or leaving the Commonwealth of Australia, or whose address shall become unknown, then such person or persons as shall have been elected to the position of trustee or trustees as aforesaid shall be deemed duly appointed, without any instrument under the hand of the former trustees so dying, refusing, 45 becoming incapable of, or leaving, or whose address shall become unknown as aforesaid.

16. (1) So often as any new trustee or new trustees is or are appointed in accordance with section fifteen, subsections one, two, or three of this Act, all the property (if any) for the time being, vested in the surviving or continuing trustee or trustees, or in the executor or
5 administrator of any trustees, or in the Chief Justice or senior Puisne Judge for the time being, by virtue of the Wills, Probate, and Administration Act of 1898, or any Act consolidating or amending the same, and (subject to the trust in respect of which the new trustee or new trustees is or are appointed) shall, by virtue of the instrument
10 which created the trusts, and by virtue of this Act, and without other assurance in the law, become and be conveyed, assigned, and transferred so that the same shall thereupon become and be legally and effectually vested in such new trustee or new trustees, either solely or jointly with the surviving or continuing trustee or trustees,
15 as the case may require.

Vesting of estate in newly appointed trustees.

(2) Every new trustee to be appointed as aforesaid shall have the same powers, authorities, and discretions, and shall, in all respects, act as if he had been originally nominated a trustee by the instrument creating the trust.

20 17. A special meeting of the members of any Church of Christ coming within the operation of this Act, duly convened in accordance with the provisions of this Act, may remove any trustee or trustees, provided that two-thirds of the members present and voting at such meeting consent to the said removal.

Removal of trustees

25 18. After every appointment, retirement, or removal of a trustee or trustees as aforesaid, a memorandum in writing setting forth the names in full of every trustee so appointed, retired, or removed, shall be signed by the chairman of the special meeting of the Church of Christ which dealt with the appointment, retirement, or removal of
30 a trustee or trustees as aforesaid, and shall be published by him within a period of three months from the date of such appointment, retirement, or removal in the Government Gazette; and the production of a copy of such Gazette shall be conclusive evidence that the person or persons named in such memorandum has or have been appointed, or has or have
35 retired from, or has or have been removed from the position of trustee of the Church of Christ named in such memorandum.

a Publication of memorandum certifying change of trustees.

19. Upon any sale, or mortgage, or lease by any trustee or trustees of any Church of Christ coming within the operation of this Act, the purchaser, mortgagee, or lessee shall be exonerated from
40 seeing to the application of the moneys paid by him to such trustee or trustees, and from all liability in respect of the same, upon having produced to him a statutory declaration of the chairman of a special meeting convened in the manner hereinafter directed, showing that at such special meeting it was resolved by a two-thirds majority of the
45 members of the said church present and voting at such meeting that
the

Indemnity to purchasers.

the sale, mortgage, or lease should be duly authorised, and that the deed of conveyance, mortgage, lease, or other instrument prepared in pursuance thereof properly evidences and carries out the desire of the said meeting, and that the person or persons executing the same is or are the trustee or trustees of the Church of Christ so desiring to deal with the property. 5

Special meeting—
how convened.

20. A special meeting of the members of a Church of Christ coming within the operation of this Act, required to be convened for all or any of the purposes of this Act, shall be convened by the officer or officers for the time being of such Church of Christ, or by him or them, at the request of not less than ten members of the said church, by causing to be affixed to some prominent and conspicuous part of the place of worship used by the members of the said church for the purposes of worship a notice in writing, specifying the time and place of such meeting, and the nature of the business to be then and there discussed, at least two Sundays immediately preceding the date for which such special meeting shall be called, and by causing a copy of the said notice to be inserted in a daily or weekly newspaper circulating in the district in which the said place of worship is situated at least once in each of the two weeks immediately preceding the date of the said meeting. 15 20

Persons entitled to
vote at special
meetings.

21. For the purposes of this Act only such male or female members of a Church of Christ coming within the operation of this Act whose names shall, from time to time, be and remain on the roll of such Church of Christ according to the custom and practice of such church shall be allowed to vote in respect of the matters affected by and provided for in this Act: Provided always that no member under the age of twenty-one years shall be entitled to vote in respect of the matters affected by and provided for in this Act. 25

Fees payable in
future by churches
becoming associated
under this Act.

22. From and after the passing of this Act any Church of Christ applying to become associated hereunder shall, upon forwarding the declaration mentioned in section five of this Act, forward to the registrar or other person for the time being filling the office of registrar a statutory declaration showing the number of members on the roll of the Church of Christ applying for association, together with the sum of one shilling for every such member as a capitation fee. 30 35

All sums received from time to time under this Act by way of capitation fees shall be applied in and to the administration of this Act, and to such other purposes as the officers of the Churches of Christ associated under this Act shall by a two-thirds majority at any duly convened meeting decide. 40

SCHEDULES.

SCHEDULES.

SCHEDULE A.

FORM I.

5 *Statutory declaration under section five of the Churches of Christ Property Management Act, 1906.*

I, A.B., of in the State of New South Wales, do hereby solemnly and sincerely declare as follows :—

1. At a special meeting of the members of the Church of Christ at , in the said State, duly convened in accordance with section twenty of the above-named 10 Act, I was elected chairman of such meeting.

2. At such meeting the following motion was proposed by Mr. C. D. and seconded by Mr. E. F., namely :—

That, in the opinion of this meeting, it is desirable that the Church of Christ at 15 aforesaid shall associate itself with the Churches of Christ now already associated under the Churches of Christ Property Management Act, 1906, for the purpose of taking the benefit of such Act.

3. The said motion was put by me to the vote of the members of such Church present at such meeting, and was carried by the vote of at least two-thirds of the members present and voting at the said meeting as required by section four of the above 20 Act.

And I make this solemn declaration as to the matters aforesaid, conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900.

A.B.

25 Made and declared at this day of 1900, before me, J.P.

FORM 2.

Certificate under section seven of the Churches of Christ Property Management Act, 1906.

At a special meeting, to which all the officers of the Churches of Christ now associated under the above Act were duly summoned in accordance with section six of 30 the above Act, I was elected chairman of the meeting by such of the officers as were then present, and, in accordance with section seven, I submitted to the said meeting of officers, the following motion :—

35 “That, in the opinion of this meeting, it is desirable that the Church of Christ at [name of town or district], in the State of New South Wales, being the Church of Christ mentioned in the statutory declaration of , dated the day of , 190 , should be declared by this meeting associated with the Churches of Christ now associated for the purpose of taking the benefit of the Churches of Christ Property Management Act, 1906.”

40 And I certify that the said motion was duly carried, and I thereupon declared the said Church of Christ at duly associated according to the said Act.

A.B.,

Chairman.

C.D.,

Registrar under the above Act.

FORM

Churches of Christ Property Management.

FORM 3.

Declaration of trust under section thirteen of the Churches of Christ Property Management Act, 1906.

We [or I, as the case may be], of _____, in the State of New South Wales _____, do hereby declare that we are [or I am] the trustees [or trustee] of the Church of Christ, at _____, in the State of New South Wales, and that such Church of Christ is duly associated under the above Act, and that we [or I] hold all real estate belonging to the said Church of Christ, as more particularly described and set forth in the Schedule of lands described in the First Schedule hereto, and in the deeds and documents enumerated and set forth in the Second Schedule hereto, upon the trusts set forth and declared in and subject to the provisions of the Churches of Christ Property Management Act, 1906, relating to real estate of the respective Churches of Christ associated under the said Act. 5 10

As witness our hands this _____ day of _____, 190 .

THE FIRST SCHEDULE REFERRED TO.

15

All that piece or parcel of land [here set out the different parcels].

THE SECOND SCHEDULE REFERRED TO.

[Here set out the various title deeds in the possession of the trustees.]

Signed by the said _____ in the presence of _____

SCHEDULE.

SCHEDULE B.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Campbell-street, Sydney.	City Temple, Campbell-street, Sydney.	Joseph Stimson George Lillie Frederick Newby Edmund Gole John Francis Ashwood	Glebe Waterloo Paddington Enmore Sydney	Agent Ex-Civil Servant Carrier Accountant General merchant	All that parcel of land situated in the parish of Saint Lawrence, city of Sydney, county of Cumberland, and State of New South Wales, having a frontage of forty-three feet six inches to Campbell-street, and a frontage of thirty-seven feet eight inches to Blackburn-street by varying depths and bearings, as more particularly described in an indenture of conveyance dated the twenty-first day of August, one thousand eight hundred and ninety-five, registered number nine hundred and sixty-eight, book five hundred and sixty-three, from Alfred Rofe (therein described) to the said trustees and William Walker and Charles Grocock (both therein described, and both now deceased).
Metropolitan Road, Enmore.	"Tabernacle," Metropolitan Road, Enmore	John Kingsbury James Hunter John Bardsley	Enmore Dulwich Hill Stanmore	Draper Gentleman Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing twenty-nine and a quarter perches, being lots ninety-nine to one hundred and two inclusive, section two, as shown on a plan deposited at the Land Titles Office, Sydney, numbered one thousand one hundred and sixty-six, and being the whole of the land described in certificate of title dated the fourth day of April, one thousand eight hundred and eighty-four, registered volume six hundred and ninety-two, folio thirty-four.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
Illawarra Road, Marrickville.	"Christians' Chapel," Illawarra Road, Mar- rickville.	John Hindle Charles Alfred Rofe Robert Miller James Hunter	Sydney Sydney Marrickville Dulwich Hill	Merchant Clerk Labourer Gentleman	All that parcel of land situated in the parish of Petersham, county of Cumberland, and State of New South Wales, containing eighteen perches, being lots four, five, and six, as shown on a plan deposited in the Land Titles Office, Sydney, numbered two thousand five hundred and ninety-five, and being the whole of the land described in certificate of title dated the sixteenth day of January, one thousand eight hundred and ninety-two, registered volume one thousand and forty, folio two hundred and twelve.
Joseph-street, Rookwood.	"Christians' Chapel," Joseph-street, Rook- wood.	Edwin Andrews George Stimson	Rookwood Fairfield	Monumental mason Commission agent	All that parcel of land situated in the parish of Liberty Plains, county of Cumberland, and State of New South Wales, containing thirteen and three-quarter perches, and being the whole of the land described in certificate of title dated the eleventh day of October, one thousand eight hundred and eighty-six, registered volume eight hundred and eight, folio seventy-nine.
Paddington-street, Paddington.	"Tabernacle," Paddington-street, Paddington.	Richard Henry Fancourt George Parker Jones Arthur William Shearston James Prince Alexander Chapple Thomas Gabriel Alexander Bagley	Woollahra Paddington Waverley Woollahra Woollahra	Gentleman Builder Warehouseman Draper Evangelist	All that parcel of land situated at Paddington, parish of Alexandria, in the county of Cumberland, and State of New South Wales, containing twenty-three perches, being the whole of the land described in certificate of title, dated the eleventh day of December, one thousand eight hundred and seventy-five, registered volume two hundred and forty-three, folio sixty-two.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.	Short description of lands.
184—C Cannon-street, Petersham.	"Tabernacle," Cannon-street, Petersham.	James Hunter John Bardsley William James Edwards John Kingsbury Samuel Denford	Dulwich Hill Stanmore Enmore Enmore Petersham	Gentleman Gentleman Bootmaker Draper Bootmaker	All that parcel of land situated at Stanmore, parish of Petersham, county of Cumberland, and State of New South Wales, containing seventeen and a half perches, being lots eight and nine of section "M," as shown on a plan deposited at the Land Titles Office, Sydney, numbered two thousand nine hundred and ninety-two, and being the whole of the land described in certificate of title, dated the twenty-second day of April, one thousand nine hundred and one, registered volume one thousand three hundred and fifty, folio one hundred and forty-eight.
Dumaresque and Pitt streets, Chatham, Manning River.	"Christians' Chapel," Dumaresque and Pitt streets, Chatham, Manning River.	George Brown Newby John Newby, the younger James Collins Henry Edwards Amos Saxby George Scrivner	Dumaresque Island, Manning River. Chatham Dumaresque Island, Manning River. Cundletown, Manning River. Chatham Taree	Farmer Blacksmith Farmer Bootmaker Farmer Farmer	Firstly: All that parcel of land situated at Chatham, parish not named, county of Macquarie, and State of New South Wales, being portion of section thirty-five of the township of Chatham, and being the whole of the land described in conveyance dated the fifteenth day of August, one thousand eight hundred and seventy-one, registered number four hundred and twenty-one, book one hundred and twenty-six, from William Marshall to the said trustees and one John Green (therein described) and now deceased. Secondly: All that parcel of land situated at Taree, in the State of New South Wales, containing two roods, and being the land described in indenture of conveyance dated the twenty-sixth day of September, one thousand eight hundred and ninety-two, registered number nine hundred and one, book five hundred.

SCHEDULE B—continued.

Church of Christ.	Name of building, and situation of real estate.	Trustees in whom property shall be vested.	Address.	Occupation.]	Short description of lands.
Conway-street, Lismore.	"Tabernacle," Conway-street, Lismore.	James Peter Field Walker Frederick Ridgway Furlonger James Wotherspoon	Lismore Lismore Lismore	Printer Law clerk Builder	All that parcel of land situated at Lismore, parish of Lismore, county of Rous, and State of New South Wales, containing nineteen and a half perches, being part of allotment eleven of section eight in the town of Lismore, and being the whole of the land described in conveyance dated the fourteenth day of July, one thousand nine hundred and four, registered number four hundred and sixteen, book seven hundred and sixty-three, from George Frederick Cottee and Charles Albert Barham (therein described) to the said trustees.
Junction-street, Merewether.	"Christians' Chapel," Junction-street, Merewether.	Charles Nisbet Joseph Bright James Russell Joseph Fraser George Beady	Merewether Merewether Merewether Merewether Merewether	Miner Railway employee Storekeeper Miner Gentleman	All that parcel of land situated in the parish of Newcastle, county of Northumberland, and State of New South Wales, containing fifteen and a quarter perches, being lot eleven A of section seven of Burwood township, as per plan prepared by Mr. Licensed Surveyor Reuss, junior, in the year one thousand eight hundred and seventy-six, being the land described in indenture of assignment of leasehold, dated the fourteenth day of May, one thousand eight hundred and ninety-eight, registered number nine hundred and eight, book six hundred and twenty-one, from Edward Tayior to the said trustees.