CHAP. 24.

An Act for regulating the management by the Trustees of the Presbyterian Church in Ireland of certain trust properties for the said Church, and for other purposes. A.D. 1871.

[16th June 1871.]

WHEREAS by the Irish Church Act, 1869, it was enacted, that any minister or assistant minister of any Protestant non-conforming congregation to or for whom any annuity was paid or secured under the said Act, by reason of the discontinuance of the Parliamentary grant commonly called and in the said Act referred to as "the Regium Donum," might apply to the Commissioners in the said Act mentioned to commute his annuity for a capital sum to be paid to him, and the said Commissioners, if satisfied that the annuity of the applicant was not encumbered, or if encumbered that the encumbrancers consented to the commutation, should cause the then present value of the annuity to be estimated, and should pay the amount of such estimated value to trustees, such trustees to be appointed in the case of any such minister or assistant minister as aforesaid by such minister or assistant minister and the general assembly or synod or presbytery, as the case might be, of the church or religious community to which such minister or assistant minister might belong:

And whereas it was by the said Act also enacted that the said Commissioners should at any time between the first day of January one thousand eight hundred and seventy-one and the first day of January one thousand eight hundred and seventy-three, but not afterwards, if it appeared to them as respected any Protestant non-conforming body or communion, that not less than three fourths of the whole number of the ministers of such body or communion authorised to commute under the said Act had commuted or agreed to commute their life interests, pay, in addition to the moneys otherwise payable by them, a sum equal to twelve pounds in the hundred on the commutation money payable in respect of each life

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interest, such addition to be disposed of in the same manner as the commutation money in respect of which it was added:

And whereas upwards of three fourths of the whole number of the ministers of the general assembly of the Presbyterian Church in Ireland authorised to commute under the said Act have already commuted their life interests for capital sums under the provisions of the said Act (which ministers who have already commuted as aforesaid are herein-after designated "the said commuting ministers"):

And whereas the said commuting ministers and the said general assembly duly appointed the several persons herein-after named to be trustees to receive the said capital sums pursuant to the said Act:

And whereas, in order to enable the said trustees to pay to each of the said commuting ministers an annuity for his life, provided he should so long continue in his office of minister of the said church, equal to the annuity commuted by him as aforesaid, and at the same time to preserve undiminished the entire amount of the said commutation money as a source of permanent endowment for the said church, certain members of the said church agreed to raise by voluntary annual contribution or otherwise a certain amount of income, to be called "the sustentation fund" of the said church (and herein-after designated as "the said sustentation fund"), the same to be applied in each and every year so long as any such life annuity should be payable as aforesaid to supplement the annual income arising from the said commutation money, so far as might be required for the payment in full of the several annuities so to be paid as aforesaid:

And whereas the management of the said sustentation fund, so far as regards the raising the same, has been duly entrusted to a committee elected and to be elected by the said general assembly of the said Presbyterian Church:

And whereas donations and bequests to the said sustentation fund were directed to be funded by the said commutation trustees, if the donors or testators should so desire:

And whereas the said commuting ministers, having been desirous of co-operating in the formation of such sustentation fund, agreed that the said commutation money payable in respect of their several and respective life interests as aforesaid should be vested in the said trustees, on certain trust contained in and declared by an indenture dated the thirteenth day of July one thousand eight hundred and seventy, and made between the said commuting ministers of the first, second, third, and fourth parts, and the said trustees of the fifth part:

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And whereas by the said indenture it was agreed and declared that the said trustees should apply for and receive from the said Commissioners the commutation moneys payable by them in respect of the annuities of the said commuting ministers, and should stand possessed thereof on the trusts in the said indenture as aforesaid:

And whereas the said trustees have received or will shortly receive the said commutation moneys payable by the said Commissioners as aforesaid in respect of the annuities of the said commuting ministers (including as well the amount of the estimated value of the said annuities respectively as also the said twelve pounds per cent. additional payable on the contingency aforesaid):

And whereas several of the ministers of the said general assembly who have not yet commuted the annuities payable to them respectively under the said Act may yet do so:

And whereas certain colleges and other property and trust funds connected therewith which have been given and bequeathed for the education of ministers for the said church are now vested in certain parties as trustees for the said church; and there are also churches, manses, and other property connected therewith, now vested in certain parties as trustees, for congregations connected with the said church; and there are also trust funds and moneys which have been given and bequeathed by members of the said church, for missions and other charities connected with said church, and said trust funds and moneys are now vested in or under the control of divers persons as trustees for the said church, and portions thereof have been invested on mortgages of lands and in other securities:

And whereas it is desirable that provisions such as are in this Act contained should be made in relation to the said colleges, churches, manses, trust funds, moneys, and other properties and securities which are now belonging to or which shall be devised or bequeathed to and for the use of the said church, or of congregations connected with the said church:

And whereas the objects aforesaid cannot be obtained without the authority of Parliament:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as The Irish Presbyterian Church Act, 1871.

Trustees.

2. Sir Edward Coey, James Porter Corry, Esq., J.P., George McCarter, Esq., William Martin, Esq., Rev. Robert Black, Rev.

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Lowry E. Berkeley, Daniel Taylor, Esq., J.P., William Shaw, Esq., James Brown, Esq., Rev. John Macnaughton, Leonard Dobbin, Esq., Thomas Ferguson, Esq., J.P., Thomas A. Dickson, Esq., Archibald D. Lemon, Esq., Robert Porter, Esq., Thomas Sinclair, Esq., J.P., William Macnaughtan, Esq., Henry Matier, Esq., Rev. Charles L. Morell, Rev. John H. Orr, Rev. John R. MacAlister, James S. Crawford, Esq., J.P., Robert G. M'Crum, Esq., Rev. Professor Smyth, D.D., William F. Bigger, Esq., J.P., William Tillie, Esq., J.P., Rev. N. M. Brown, Hugh Moore, Esq., John Adams, Esq., J.P., D.L., Rev. James A. Robson, William Young, Esq., William Wilson, Esq., Robert Stevenson, Esq., J.P., and Rev. Dr. Wilson, being the trustees named in said deed, and their successors appointed as herein-after expressed, shall be "The Trustees of the Presbyterian Church in Ireland" for the purpose of carrying into effect the provisions of this Act, and are in this Act referred to as "the trustees."

Commutation moneys vested in trustees.

3. From and after the passing of this Act, all moneys paid or payable in respect of the annuities of ministers who at the date of such passing have commuted the annuities payable to them respectively under the said Act, and all securities therefor, and the right to receive and realise the same respectively, are transferred to and vested in the trustees and their successors, subject to the directions and enactments affecting the same herein-after contained.

Commutation money of subsequently commuting ministers.

4. It shall be lawful for the trustees, if they shall think fit, with the consent in writing of any minister of the said church who has not before the passing of this Act commuted the annuity payable to him under the said Act, to apply to the said Commissioners for all commutation moneys (including the said twelve pounds per cent. if payable) in respect of the annuity of any such minister who shall hereafter agree to commute his said annuity, and thereupon the said Commissioners shall pay such commutation moneys to the trustees.

Application of commutation fund and moneys received from treasurer of sustentation fund.

5. The trustees shall, out of the said commutation moneys now paid or to be paid as aforesaid, (and which moneys are herein-after referred to as "the commutation fund,") and out of the interest, dividend, and annual income thereof, pay to each minister who has as aforesaid commuted his annuity such annual sum as has heretofore been payable to him under the provisions of the said indenture, and to each minister who, after the making of the said indenture and before the passing of this Act, has commuted or who shall commute after the passing of this Act such annual sum as shall after such passing be mutually agreed upon between such

last-mentioned minister and the trustees: Provided always, that the trustees shall in the first place apply the interest, dividends, and annual income of the said commutation fund in or towards payment of the said several annuities, and if they shall receive from the treasurer for the time being of the sustentation fund of the said general assembly, or from other sources, any other sums of money applicable for the same purpose, shall apply such sums of money in or towards payment of the said several annuities, and if after such application of the said interest, dividends, and annual income, and other sums of money respectively as aforesaid, the said several annuities shall not be fully paid, then and in such case, and from time to time so often as the same shall happen, the trustees shall raise out of the capital of the said commutation fund so much as may be required for payment of the said several annuities in full, and apply such money in payment of the same accordingly.

Application of surplus of commutation and sustentation funds.

6. If at any time the interest, dividends, and annual income of the said commutation fund, together with such other sums of money as may be received by the trustees, and be applicable for the purpose as aforesaid, shall be more than sufficient for payment in full of the said several annuities for the time being charged upon and payable out of the commutation fund, then and in such case, and from time to time so often as the same shall happen, the trustees shall pay and apply such annual surplus of the said interest, dividends, and annual income, and other sum of money, in such manner as the general assembly shall from time to time direct.

Ministers may require trustees to purchase annuities, after which claim on commutation fund to cease.

7. Any minister entitled to an annuity under or by virtue of the provisions aforesaid may by notice in writing served upon the secretary or agent of the trustees require the trustees to purchase, for and in the name of such minister, and in lieu of the annuity payable to him under or by virtue of the provisions aforesaid, a government annuity of the like amount for his life; and thereupon the trustees shall purchase such life annuity for and in the name of such minister, and such minister shall thereupon cease to have any further claim or demand whatever upon the commutation fund, or the interest, dividends, or annual income thereof, but shall nevertheless be entitled to receive out of any sums of money paid to the trustees by the treasurer for the time being of the sustentation fund for augmentation of ministers annuities such further annual sum as the trustees shall ascertain and determine to be properly payable to such minister, having regard to the amount of the sums of money so applicable for the

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purpose, and to the extent to which the benefit derivable from commutation has been lessened by the purchase for such minister of such life annuity as aforesaid.

Receipt of minister, his executors, administrators, or assigns, full discharge.

8. The receipt in writing of any minister entitled to an annuity, or of his executors, administrators, or assigns, for the last quarterly payment of the annuity to which he may be so entitled under the provisions aforesaid, shall be deemed and taken to be a release in full to the trustees of all claims and demands whatsoever in respect of the commutation money and per-centage (if any) thereon paid by the said Commissioners to the trustees in respect of the commuted annuity of such minister, or any undisposed residue thereof, and in respect of all arrears on foot of the annuity to which such minister was in his lifetime entitled as aforesaid, other than and except any proportional part of the current gale of the said annuity which may have accrued between the day of his death and the gale day next preceding his death, and, subject only to the payment of such apportioned part (if any), the trustees shall thenceforth hold such commutation money so paid to them as aforesaid discharged from such annuity, and from all claims in respect thereof or in relation thereto.

Trust moneys, after payment of annuities, &c., to be left for permanent endowment of ministers for the time being of Presbyterian Church.

9. When and so soon as all of the said several life annuities so payable out of the said commutation fund as aforesaid shall have determined, and all claims and demands against the said fund in respect thereof shall have been satisfied, the said commutation fund, and the stocks, funds, and securities in which the same shall be invested, shall thenceforth be held by the trustees upon such trusts by way of permanent endowment for the benefit of the ministers for the time being of congregations of the Presbyterian Church in Ireland in connexion with and under the jurisdiction of the said general assembly as the said assembly shall direct: Provided always, nevertheless, that the interest, dividends, and annual income only of the said fund shall be applied for the benefit of such ministers, and that such preference as the general assembly may in its absolute and uncontrolled discretion think right shall be given to the claims of congregations whose ministers shall have so commuted as aforesaid.

Trusts of sustentation fund.

10. The trustees shall receive from the treasurer of the sustentation fund all sums given, subscribed, or bequeathed thereto, and shall, subject to the provisions herein-before contained for the purpose of securing their annuities to the ministers who have commuted or may commute as aforesaid, pay and apply such sums as the said general assembly may from time to time direct: Provided

always, that donations and bequests given or bequeathed to or in favour of the said sustentation fund, and directed to be permanently invested or otherwise given or bequeathed as an endowment fund for the sustentation of the ministry of the said church, and received by the trustees, shall be invested by them, and unless the respective donors or testators shall otherwise direct, the interest, dividends, and annual income thereof shall be paid and applied by the trustees as the general assembly may from time to time direct, and if such donor or testator shall specifically direct the trustees to apply the same to the support of the minister of any particular congregation, the same shall be applied accordingly by the trustees.

Gifts, bequests, or transfers to trustees to be held on trusts.

11. It shall be lawful for the trustees, if they shall think fit, with the approval of the said general assembly, to accept or take a transfer of any other gift or bequest of personal property given or bequeathed for the endowment or permanent use or benefit of the said church, or any college, congregation, mission, or charity connected therewith, or to take a transfer from any trustee or other person in whom the same shall be vested of any endowment or fund or securities for the purposes aforesaid, and the trustees shall hold such personal property so given, bequeathed, or transferred as aforesaid on the trusts declared by or contained in the deed, will, or other instrument of endowment.

Mode of investment of trust funds.

12. The trustees may from time to time invest the said commutation fund, and all other moneys that shall come to their hands under the provisions contained for the said church, in any of the public stocks or funds or government securities of the United Kingdom or India, or any colony or dependency of the United Kingdom, or upon mortgage of real securities in England, Wales, or Ireland, or in any other securities whatever which the said general assembly of the said church shall from time to time appoint; and no trustee shall be liable for any loss occasioned by the depreciation or failure of any such investment or otherwise, save by his own wilful default; and the trustees from time to time, at their discretion, may vary or transpose such stocks, funds, and securities into or for others of the same or a like nature.

Non-liability of trustees, save for wilful default.

Incorporation by Royal Charter.

13. It shall be lawful for Her Majesty by charter to incorporate the trustees with power, notwithstanding the Statutes of Mortmain, to hold land to such extent as is in this Act provided, but not further or otherwise, and the trustees when so incorporated by charter shall continue to act in the execution of this Act.

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Power to invest funds in purchase, &c. of lands for manses, &c. not exceeding thirty acres for each church.

14. It shall be lawful for the trustees, when incorporated by charter as aforesaid, to invest all moneys vested in them for that purpose in the absolute purchase, or in procuring leases or fee-farm grants subject to annual or other rents, and with or without fines, of lands for the erection thereon of churches, or of manses for the use of the ministers of said church, or for schools or other buildings in connexion with said church buildings, or for other church purposes, the lands so to be purchased not to exceed thirty acres for each congregation, and to sell, grant, or demise the lands so purchased to trustees, for the minister and congregations of each church, for such sum or at such rent and for such term as the trustees shall think fit, or to permit such ministers and congregations to occupy and use the same at such rent and upon such terms and conditions as the trustees shall think fit; and the trustees may execute all such deeds, grants, leases, or other documents as may be necessary for the purpose aforesaid.

Power to vest colleges, church buildings, &c. in trustees.

15. It shall be lawful for the trustees of any college, church building, schoolhouse, manse, or other real property, whether freehold or chattel, held in trust for the said church or any congregation in connexion therewith, or any person or persons in whom the same may be vested, if they or he respectively shall think fit, to grant, assign, or otherwise vest in the trustees when incorporated by charter as aforesaid, with their concurrence, such college, church building, schoolhouse, manse, or other real property, whether freehold or chattel, to be held by the trustees upon such trust and subject to such rights as at the time of such grant, assignment, or vesting affected the same respectively, and the former trustees shall be thereupon released from the trusts thereof respectively.

Power to hold lands for colleges, &c.

16. It shall be lawful for any person whomsoever, entitled so to do, to give, grant, devise, bequeath, or assure, by any deed, will, or other instrument sufficient in law to create or convey an estate therein, any messuages, lands, hereditaments, or any estate therein, to the trustees when incorporated by charter as aforesaid for any college, or for any church building or schoolhouse in connexion with any congregation or church, or for a hall for the meeting of the said general assembly: Provided always, that under the provisions aforesaid or otherwise not more than thirty acres shall be held in trust for any congregation, nor more than one hundred acres in trust for any college, nor more than twenty acres in trust for erecting thereon a hall, offices, or other buildings for the use of said general assembly: Provided always, nevertheless, that any such gift, grant, bequest, or assurance of lands in excess of the acreage

hereby authorised to be held as aforesaid shall be void as to the excess only. A.D. 1871.

Power to sell surplus lands.

17. The trustees, when incorporated by charter as aforesaid, may from time to time sell, lease, exchange, or otherwise dispose of, on such terms and in such manner as they think fit, or mortgage, any lands vested in them, and not being otherwise required for purposes of the said church or any of the colleges or congregations connected therewith, and may enter into, execute, and do all contracts, assurances, and things necessary or proper in that behalf; and every such sale or lease as aforesaid may be made either absolutely for a sum in money, or for any annual rent or rents, to be made payable as the trustees direct, or partly for a sum of money and partly for such rent or rents as aforesaid, as the trustees think fit, and the trustees may afterwards sell any rent so to be made payable.

Directions as to business accounts, &c.

18. The trustees shall conduct their business at such place, and keep such minute books, and shall keep and render such accounts, and make such reports, from time to time, and hold such meetings, as the said general assembly of the Presbyterian Church shall from time to time direct and require.

Power to appoint officers.

19. It shall be lawful for the trustees from time to time to appoint a treasurer or treasurers, secretary, and such other officers and agents, and to prescribe for them such duties, and to pay them such remuneration for their services, as the trustees shall think fit; and such treasurer or treasurers, secretary, and other officers shall hold their respective offices on such terms as the trustees shall determine.

Power to appoint actuary.

20. The trustees shall, until all the annuities payable to the said commuting ministers shall have ceased, at the end of every third year, or oftener if required so to do by the said general assembly, certified as such by the clerk thereof, appoint a competent actuary to value and report upon the assets and liabilities of the said commutation fund, which report shall be laid before the general assembly at its next meeting.

Power to general assembly to appoint auditors.

21. The said general assembly may, at its ordinary meetings in each year, or at any extraordinary meeting specially convened for the purpose, appoint two or more fit and proper persons to examine and audit the accounts of the trustees; and such auditors shall have power to call for and require the production of all books of account, vouchers, and documents relating to the income and expenditure of the trust during the year to which the accounts so to be audited may relate, and the same shall be produced to them accordingly.

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Receipts by treasurer, &c. a discharge.

22. The receipt in writing of the treasurer or treasurers, or of any of the trustees authorised in that behalf by byelaw, for any moneys paid, and for any stocks, funds, shares, or securities transferred to them by virtue of this Act, or in execution of any of the trusts or powers thereof, shall effectually discharge the person or persons paying or transferring the same therefrom, and from being bound to see to the application or being answerable for the loss or misapplication thereof.

Contracts by trustees.

23. With respect to contracts to be made by the trustees the following provisions shall have effect; (that is to say,)

With respect to any contract which if made between individuals would be by law required to be in writing and under seal, the trustees may make the same in writing under their common seal, when incorporated by charter as aforesaid, or until incorporated under the hands and seals of the trustees or any five of them acting on behalf or under the direction of the trustees, and in the same manner may vary or discharge the same:

With respect to any contract which if made between individuals would be by law required to be in writing and signed by the parties to be charged therewith, the trustees may make the same in writing signed by any two of them, or by the treasurer or any person appointed by byelaw to act in that behalf generally or in any particular case, and in the same manner may vary or discharge the same:

With respect to any contract which if made between individuals would be by law valid though not reduced into writing, the trustees, or any two of them, or the treasurer or any person acting on behalf or under the direction of the trustees may make the same, or authorise the same to be made, without writing, and in the same manner may vary or discharge the same:

And all contracts made according to the provisions of this section shall be effectual at law, and shall be binding on the trustees, and on all other parties thereto, their heirs, executors, or administrators; and on any default in execution of their obligation, either by the trustees or any party thereto, such actions or suits may be brought either by or against the trustees as might be brought if the same contract had been made between individuals.

Minutes of meetings to be kept.

24. The said general assembly of the Presbyterian Church, and the said trustees and executive committee of the trustees respectively, in discharging their respective duties under this Act, or

any byelaws to be made in pursuance thereof, shall cause notes, minutes, or copies (as the case requires) of their orders, resolutions, and proceedings to be entered in books to be kept under their superintendence; and every such entry shall be signed by the moderator of the general assembly, or by the chairman of the meeting at which the order, resolution, or proceeding entered was passed or taken, or by the moderator or chairman, as the case may be, of the next subsequent meeting; and every such entry so signed shall be received as evidence in all courts and elsewhere without proof of the meeting having been duly convened or held, or of the persons making or taking any such order, resolution, or proceeding, or causing the same to be entered, being members of the general assembly or being trustees (as the case may be), or of the signature of the person signing as chairman, or of the fact of his having been moderator or chairman, as the case may be, all which matters shall be presumed until the contrary is shown.

Acts done at meeting of general assembly valid notwithstanding disqualification.

25. All acts done at a meeting of the general assembly or of the trustees, or of any committee thereof, by any person acting as a member of the general assembly or of the trustees or committee, shall, notwithstanding it being afterwards discovered that there was some defect in the appointment of any such person so acting, or that he was disqualified, be as valid as if there had been no such defect or disqualification.

Validity of gifts and bequests, notwithstanding vacancy in the office of a trustee.

26. Any order, resolution, or proceeding of the trustees, or any power by this Act conferred, or any gift, devise, or bequest to the trustees, or otherwise, for the benefit of the said church, or any congregation, college, mission, or charity connected therewith, shall not be invalidated by reason only of there being a vacancy among the trustees.

Indemnity to trustees.

27. The trustees shall not, nor shall any of them, by being party to or executing as such trustee any contract or other instrument, or otherwise lawfully executing any of the powers given to the trustees by this Act or the byelaws to be made in pursuance of its provisions, be subject to be sued or prosecuted by any person whomsoever, nor shall the bodies, goods, or lands of such trustees or any of them be liable to execution of any legal process by reason of any contract or other instrument so entered into, signed, or executed by them, or any of them, or by reason of any other lawful act done by them, or any of them, in the execution of any of their powers as such trustees as aforesaid, and the trustees, their heirs, executors, and administrators, shall be indemnified out of the trust funds for all payments made or liabilities incurred in respect of any acts

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done by them, and for all losses, costs, and damages which they may incur in the execution of this Act, and the trustees for the time being may apply the trust funds for the purposes of such indemnity.

Power to pay travelling expenses, &c.

28. It shall be lawful for the trustees to pay to any trustee all travelling and other expenses incurred by him in or about the execution of the said trusts or powers or any of them.

Mode of election of trustees.

29. If any of the trustees herein-before named, or to be appointed as herein-after provided, shall die, or be declared a bankrupt, or file a petition for relief under any Act or Acts for the time being in force for the relief of insolvent debtors, or make any composition with his creditors, or cease to be a member of some congregation in connexion with the said general assembly of the Presbyterian Church in Ireland, or to reside in Ireland, or shall be absent therefrom for a continuous period of twelve calendar months, or shall, by writing under his hand, delivered to the clerk for the time being of the said general assembly, express his desire to be discharged, or shall refuse or become incapable to act, or shall be removed from being one of the trustees by a vote of the said general assembly, then and in any of such cases it shall be lawful for the said general assembly at its annual meeting, or at any meeting specially convened for such purpose, to appoint a person to fill such vacancy (the successor to fill up such vacancy to be a minister if the deceased or retiring trustee was or is a minister, or such successor to be a layman if the deceased or retiring trustee was or is a layman): Provided always, that no person shall be eligible to be elected a trustee who at the time of holding any such meeting of the general assembly is not and has not for a period of at least two years been a member of some congregation in connexion with the said general assembly.

Power to make bye-laws, with assent of general assembly, &c.

30. It shall be lawful for the trustees from time to time to make such byelaws, rules, and regulations as may be deemed expedient respecting the management and disposition of the trust property, estates, and effects vested in them, the investment of trust moneys or funds, the transfer of any moneys or funds so invested in or upon any other security, the appointment of such and so many committees as may be considered necessary for the despatch of business, and to delegate to them all or any of the powers of the trustees, and to prescribe the powers and duties each such committee shall possess and discharge, and to declare how many members shall be on each committee, and how many present shall be necessary to make a quorum of the trustees or of the said committees respectively, the giving or sending notices for and

the times, places, and manner of their meetings, and for the general conduct, management, or control of business affairs, times of meeting, and proceedings of the trustees: Provided always, that the said byelaws, and every alteration, repeal, or addition thereto, shall not come into force and effect until approved of by the said general assembly of the Presbyterian Church, and such approval shall be duly evidenced by the same being signed by the moderator for the time being of the said assembly, and the clerks of assembly, or one of them; and the said general assembly, at the annual meeting of assembly, or any meeting specially convened for the purpose, may by the vote of a majority at such meeting approve of, revoke, repeal, or alter, wholly or in part, all or any part of every or any such byelaw, rule, or regulation as aforesaid, and substitute or make any other byelaw, rule, or regulation in lieu thereof, as such general assembly shall think fit; and any instrument in writing which shall purport to be a byelaw, rule, or regulation of the trustees, and which shall be sealed with the common seal of the trustees when they are incorporated by charter as aforesaid, or until incorporated shall be under the hands and seals of the trustees, or any five of them, shall be received as primâ facie evidence of the same being such a byelaw, rule, or regulation in all courts and before all justices, officers, and persons whomsoever: Provided always, that the said byelaws shall not at any time be altered by the trustees, nor any new ones be added thereto, unless at a meeting of the trustees duly convened for the purpose, and of which meeting fourteen days notice shall previously be given or sent to each trustee in such form as may be provided by the byelaw for the time being as to notices, such notice to specify the proposed alteration, repeal, or addition.

Acts of general assembly.

31. The vote of the majority of the members for the time being of the general assembly present and voting at any meeting of the said assembly duly convened shall be considered as the act of the assembly for any of the purposes for which said act is hereby rendered necessary; and all votes and proceedings of the said general assembly, which shall be signed by the moderator thereof for the time being, and the clerks of the said assembly, or one of them, shall be received as evidence that same were passed at a meeting of the said assembly duly convened and constituted.

Annuities payable during life, &c.

32. Nothing in this Act contained shall be deemed or construed to entitle any minister to receive any annuity under this Act, except so long as he lives, and is continued in the ministry, by and with the consent of the said general assembly.

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Costs.

33. The costs, charges, and expenses of and incident to the obtaining and passing of this Act and carrying same into effect, and the management of the trust estate, shall be paid by the trustees out of the moneys which are in or may come to their hands under the provisions of this Act.

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