CHAPTER 293.

PILGRIM HOLINESS CHURCH INCORPORATION

8/1936.
S.R.O. 15/1956.

(*3rd April,* 1936.)

Preamble.

WHEREAS the International Apostolic Holiness Union and Churches of the State of Michigan in the United States of America were on the 2nd day of May, 1912, incorporated under the name of the International Apostolic Holiness Union and Churches:

AND WHEREAS on the 1st day of February, 1922, by amendment of the Articles of Association of the said International Apostolic Holiness Union and Churches the name of the said corporation was changed to "International Holiness Church":

AND WHEREAS on the 15th day of December, 1922, by further amendment of the Articles of Association the name of the said corporation was changed to "Pilgrim Holiness Church":

AND WHEREAS it is desirable and expedient that the said Pilgrim Holiness Church shall have the right to acquire, hold, deal with and dispose of movable and immovable property in this Colony for the purposes of the said Pilgrim Holiness Church:

AND WHEREAS it is necessary to regularize any existing breaches of the provisions of the Aliens Land Holding Regulation Act, in connexion with the land now held wholly or in part by aliens on behalf of the said Pilgrim Holiness Church or its predecessors:

Cap. 101

Short title.

1. This Act may be cited as the Pilgrim Holiness Church Incorporation Act.

Pilgrim Holiness Church constituted a body corporate.

2. The General Secretary of Foreign Missions for the time being of the General Board of the Pilgrim Holiness Church shall be and is hereby constituted a body politic and corporate under the name and title of "The Pilgrim Holiness Church" with perpetual succession and a Common Seal and with power and authority by that name to sue and be sued to acquire and

hold real and personal property in trust for all purposes connected with the administration of the affairs of the Pilgrim Holiness Church in the Colony and with power to sell, mortgage, alienate or lease the said property: Provided that all lands acquired, held and dealt with by the said The Pilgrim Holiness Church shall be acquired, held and dealt with in accordance with the provisions of the said Aliens Land Holding Regulation Act and if not so acquired held and dealt with shall be forfeited to Her Majesty as in the said Aliens Land Holding Regulation Act.

Cap. 101

Schedule of lands.

3. The Schedule hereto comprises lands and hereditaments or interests set forth in the first column purchased or given and acquired for the use of the said The Pilgrim Holiness Church or its predecessors in title in the name of representatives shown in the second column thereof, and subject to the title being in order and to any claim, restraint, reservation or condition, howsoever arising, the said lands hereditaments and interests shall vest in and be held in the name of the said The Pilgrim Holiness Church as would now vest in the present holders if a licence under the Aliens Land Holding Regulation Act aforesaid were granted at the commencement of this Act, subject to all claims, obligations, reservations, conditions and restraints, howsoever arising, to which these rights and titles are subject; notwithstanding that such lands are at present held contrary to the provisions of the last mentioned Act.

Cap 101.

Change in General Secretary not to affect property or interest.

4. No change of the person holding the office of General Secretary of Foreign Missions shall affect any movable or immovable property or any estate or interest therein vested in The Pilgrim Holiness Church but such property and estate and interest therein shall continue to vest in The Pilgrim Holiness Church in the same way and to the same extent as before.

Power of General Secretary to appoint attorney.

5. The General Secretary of Foreign Missions shall have power as a corporate body to appoint an attorney or attorneys to represent the said Pilgrim Holiness Church in the Colony for the purposes of this Act for such time and with such powers as may be stated in the power of attorney.

Paul Westphal Thomas deemed to be General Secretary.

6. Paul Westphal Thomas of 1609 North Delaware Street, Indianapolis, Indiana, United States of America shall be deemed to be the present General Secretary of Foreign Missions.

Authorized representative.

7. Upon the recording in the office of the Deeds Registry in the Colony of a power of attorney duly executed in the United States of America by the said General Secretary of Foreign Missions for the time being of the General Board of the said The Pilgrim Holiness Church the person or persons named in such power of attorney shall be deemed to be the duly authorized representative or representatives in the Colony of the said The Pilgrim Holiness Church and shall have the right to exercise in relation to the property and affairs of The Pilgrim Holiness Church all such powers only as are contained in the said power of attorney as fully and effectually as if such powers were exercised by the said General Secretary of Foreign Missions as a corporate body.

Proceedings against the Pilgrim Holiness Church.

8. In all legal proceedings in the Colony against The Pilgrim Holiness Church service of process upon the aforesaid authorized representative or representatives, or on the Pastor for the time being appointed by the Church as head of the Mission carried on in the Colony or in the event of there being no such representative or pastor, by affixing the process on a conspicuous part on any of the mission churches of The Pilgrim Holiness Church situate in the Colony, shall be good and sufficient service.

Execution of deeds by representative.

9. All conveyances, mortgages, cancellation of mortgages, leases, transfers, and other documents necessary to give effect to the several matters, acts and things or any of them, mentioned and specified in section 2, requiring to be formally executed by or on behalf of The Pilgrim Holiness Church shall be deemed sufficiently executed if signed by the duly authorized representative or representatives, provided the power of attorney under which he or they purport to act authorizes the execution of that document or the performance or doing of that matter, act or thing and such execution shall be valid and effectual at law.

Deeds of Appointment of each General Secretary of Foreign Missions to be recorded.

10. (1) Notwithstanding the provisions herein contained before any power allowed to The Pilgrim Holiness Church by virtue of this Act is exercised by any General Secretary of Foreign Missions there shall be lodged in the Record Office a Deed of Appointment of that General Secretary of Foreign Missions of the General Board of The Pilgrim Holiness Church

issued under the authority of the General Board and certified to and signed by the General Superintendent and General Secretary of the General Board of the said The Pilgrim Holiness Church and sealed with the Common Seal to be used in execution of powers of attorney under this Act:

(2) Such Deed of Appointment shall in each case be acknowledged by the General Superintendent and General Secretary of the General Board before a British Consular Officer exercising his functions in the United States of America.

Savings.

11. Nothing in this Act shall prejudice or affect the rights of the Crown, or any body politic or corporate, or any other person or persons except as are mentioned in this Act.

SCHEDULE.

MONTSERRAT.

Description of Lands.	By whom held.	Date of Deed, etc.
ST. PETER'S PARISH:		
*1. Plot of land (105' × 210') used for Church. (Providence).	The Reverends William Greenaway, C. M. Brown, S. M. Stikeleather, J. V. Coleman, C. C. Brown and J. L. Kennett of the Pilgrim Holiness Church of Cincinatti, Ohio, U.S.A. and Walter Fenton and Walter Wade, Trustees.	5th July, 1928 Liber G1. Volume 3 Folios 93/98.
†2. Plot of land (North 70' East 160' South 75' West 118') at Davy-Hill, used for Church.	William Arthur Greenaway on behalf of The Bible Home & Foreign Missionary Society.	20th June, 1923 Liber E. 1. Folio 71—74.
	But now by General Board of Trustees of the Pilgrim Holiness Church, namely, The Reverends H. J. Olsen, J. F. Woods, J. L. Kenneth, C. C. Brown and S. M. Stokeleather.	Unregistered Grant executed on the 15th May, 1926, by the Bible Home and Foreign Missionary Society at Massachusetts, U.S.A. and signed by John K. Robertson, Charles C. Wilber and E. Blake Jingley as Trustees before a Notary Public.

*This land was acquired by gift subject to conditions as to use.
†This land was acquired by gift from The Bible Home and Foreign Missionary Society on whose behalf it was purchased by William Arthur Greenaway.

[L. S.]

I ASSENT
Howard A. Fergus
GOVERNOR (Ag.)
12th December, 2003

MONTSERRAT

NO. 8 OF 2003

AN ACT TO AMEND THE PILGRIM HOLINESS CHURCH INCORPORATION ACT (CAP. 293) TO REFLECT THE CHANGE IN THE NAME OF THE CHURCH.

WHEREAS the Pilgrim Holiness Church was incorporated by the Pilgrim Holiness Church Incorporation Act in 1936 (Cap. 293).

AND WHEREAS the said Pilgrim Holiness Church has united with the Wesleyan Methodist Church in 1968.

AND WHEREAS it is therefore necessary to amend the law incorporating the Pilgrim Holiness Church to reflect the change of the name of the Church.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council of Montserrat, and by the Authority of the same as follows:-

Short title

1. This Act may be cited as the Pilgrim Holiness Church Incorporation (Amendment) Act 2003.

Amendment

2. The Pilgrim Holiness Church Incorporation Act, Chapter 293 of the Laws of Montserrat is hereby amended by the substitution of the name "the Wesleyan Church" for the name "the Pilgrim Holiness Church" wherever it occurs in the Act other than in the preamble.

Joseph H. Meade
Speaker

Passed the Legislative Council this 28th day of November, 2003.

C.H. Weekes
Clerk of Councils

Printed by Montserrat Printing & Publishing