



TRINIDAD AND TOBAGO

No. 6—1958

[L.S.]

I ASSENT,

E. B. BEETHAM,

Governor.

23rd June, 1958

AN ORDINANCE to provide for the incorporation of certain persons as Trustees of the Church of Scotland in Trinidad and Tobago and for matters incidental thereto.

[26th June, 1958.]

Commence-
ment.

WHEREAS there are in the Territory of Trinidad and Tobago Preamble. units of the Church of Scotland, namely, Greyfriars Church of Scotland, St. Ann's Church of Scotland and the Mission Churches at Arouca and Sangre Grande:

Cap. 304
(Revised
Edition of
Laws, 1925).

And Whereas by virtue of the Presbyterian Church Incorporation Ordinance the property of the Church of Scotland in the said Territory is vested in The Incorporated Trustees of the Presbyterian Church in Trinidad:

And Whereas it is desirable that such property shall cease to be vested in such Incorporated Trustees:

And Whereas there are no incorporated trustees of the Church of Scotland in the said Territory:

And whereas at a meeting of the Kirk Session of Greyfriars Church of Scotland held on the 30th day of October, 1957 a resolution was agreed to that the Moderator and the Clerk for the time being of the Kirk Session of the said Greyfriars Church, and the Moderator and the Clerk for the time being of the Kirk Session of St. Ann's Church of Scotland, be appointed as Trustees of the Church of Scotland in the Territory of Trinidad and Tobago and that the said persons and their successors in office as such Moderators and Clerks should be incorporated, by Ordinance, as Trustees of the Church of Scotland in the said Territory with power, among other things, to hold, acquire and deal with land and other property in the said Territory in trust for the Church of Scotland in the said Territory; and at a meeting of the Kirk Session of St. Ann's Church of Scotland held on the 4th day of November, 1957, a similar resolution was agreed to:

And Whereas the Reverend Andrew Neill Mac Kean and Henry Dow, the Moderator and the Clerk respectively of the Kirk Session of Greyfriars Church of Scotland, and the Reverend Alfred Ernest Adamson and Alfred Mendes, the Moderator and the Clerk respectively of the Kirk Session of St. Ann's Church of Scotland, are desirous of being formed into a corporate body:

And Whereas it is expedient that the said persons and their successors in office as such Moderators and Clerks should be incorporated as Trustees of the Church of Scotland in the Territory of Trinidad and Tobago with power, among other things, to acquire, hold and deal with land and other property in the said Territory in trust for the Church of Scotland in the said Territory:

Enactment.

Be it therefore enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

Short Title.

1. This Ordinance may be cited as the Church of Scotland in Trinidad (Incorporation of Trustees) Ordinance, 1958.

2. The said Andrew Neill Mac Kean, Henry Dow, Alfred Ernest Adamson, and Alfred Mendes and their successors in office as such Moderators and Clerks, or as acting Moderators and Clerks, as aforesaid shall be and are hereby created a body corporate by the name of "The Incorporated Trustees of the Church of Scotland in Trinidad" (hereinafter called "The Incorporated Trustees") and by that name shall have perpetual succession, and shall and may sue and be sued in all Courts of Justice in the Territory of Trinidad and Tobago, and shall have and use a common seal with power from time to time to change such seal.

Incorporation of trustees.

3. There shall hereby be transferred to and vested in The Incorporated Trustees the messuages, lands, buildings, tenements and hereditaments specified in the Schedule to this Ordinance, and all other property real and personal of what nature soever now vested in any person or persons for and on behalf of Greyfriars Church of Scotland, St. Ann's Church of Scotland, the Mission Church at Arouca, the Mission Church at Sangre Grande, or the Church of Scotland in Trinidad.

Messuages &c. vested in the Incorporated Trustees.

4. Subject to the rules, regulations and control of the Church of Scotland in the Territory of Trinidad and Tobago, The Incorporated Trustees shall have full power to acquire for the said Church by purchase, transfer, assignment, donation, exchange, demise, gift, devise, bequest, grant, conveyance or otherwise any real or personal property in the said Territory or any estate or interest therein, and to take hold and enjoy the same, subject to the performance of any trust upon which the said real or personal property may have been acquired.

Power of the Incorporated Trustees to acquire property.

5. Subject to such rules, regulations and control as aforesaid, it shall be lawful for The Incorporated Trustees from time to time by deed under their seal to sell or demise, grant, convey, exchange or otherwise dispose of and deal with all property which may for the time being be vested in or have been acquired by them as such Trustees.

Power of the Incorporated Trustees to dispose of property.

6. Subject to such rules, regulations and control as aforesaid, it shall be lawful for The Incorporated Trustees from time to time to borrow money, and, for the repayment of the same, by deed under their seal to give and execute mortgages, charges, pledges or other securities of their real or personal property or to make any such arrangements as they may consider expedient, with such covenants, powers and provisions as they may think proper.

Power of the Incorporated Trustees to borrow money and give mortgages.

Mode of
execution of
documents.

7. All deeds, documents, and other instruments requiring the seal of The Incorporated Trustees shall be sealed with the common seal in the presence of two of The Incorporated Trustees who shall sign every such deed, document or other instrument to which the common seal is affixed, and such signing shall be *prima facie* evidence that the said seal was duly and properly affixed and that the same is the lawful seal of The Incorporated Trustees.

Service of
documents on
the Trustees.

8. (1) The Trustees shall at all times have a fixed address for the service of documents on the Trustees and such address and any change thereof shall be registered with the Registrar General.

(2) Any document may be served on the Trustees by leaving the same at, or by sending the same by registered post to, the address as registered under subsection (1) of this section

Saving of
Crown and
other rights

9. Nothing in this Ordinance shall affect or be deemed to affect the rights of Her Majesty Her Heirs and Successors or of any bodies politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

SCHEDULE

Section 3

PROPERTY OF THE CHURCH OF SCOTLAND IN THE TERRITORY OF TRINIDAD AND TOBAGO

A. GREYFRIARS CHURCH

1. *Greyfriars Church* :—The parcel of land hereunder described, now known as No. 50, Frederick Street, Port-of-Spain:

ALL AND SINGULAR that certain piece or parcel of land consisting of Lot No. 7 and the half lot No. 8 on the East side of Brunswick Square in the Town of Port-of-Spain having a frontage of seventy-two feet seven inches by one hundred and eighteen feet in depth and abutting on the North by the remaining and Northern portion of the Lot No. 8 East side Brunswick Square on the South upon Lot No. 6 East side Brunswick Square and Lots Nos. 27 and 28 Upper Prince Street on the East upon Lots Nos. 39 and 40 Henry Street and on the West upon Brunswick Square,—conveyed by the Illustrious Board of Cabildo by deed dated the 13th April, 1837, registered as No. 124 of 1837, to and in favour of the Reverend Alexander Kennedy and his successor or successors in trust and to and for the use of the Minister, Elders and Members of Greyfriars Church in connection with the United Secession Church in Scotland.

2. *Greyfriars Hall* :—The parcel of land hereunder described, now known as No. 52 Frederick Street, Port-of-Spain:

All and Singular that certain piece or parcel of land consisting of half of Lot No. 8 and the whole of Lot No. 9 on the East side of Brunswick Square in the town of Port-of-Spain having a frontage of seventy-two feet seven inches by one hundred and eighteen feet in depth and abutting on the North upon Lot No. 10 of the East side of Brunswick Square on the South upon the moiety on the same Lot No. 8 of the East side of Brunswick Square on the East upon Lots Nos. 38 and 39 Henry Street and on the West upon a Street,—conveyed by the Illustrious Board of Cabildo by deed dated the 27th December, 1838, registered as No. 514 of 1838, to and in favour of the Reverend Alexander Kennedy and his Successor and Successors for ever, and conveyed by the Reverend Alexander Kennedy by deed dated the 18th May, 1839, registered as No. 188 of 1839, to and in favour of the Minister, Elders and Members of Greyfriars Church and their Successor and Successors for ever.

3. *Greyfriars Manse* :—The right, title and interest of the lessee John Arnold under grant or deed of lease from Her Majesty the Queen dated the 11th November, 1881 in respect of the parcel of land formerly known as No. 39 Tranquillity Lots, Port-of-Spain, and the right, title and interest of the lessee George Ommaney under grant or deed of lease from Her Majesty the Queen dated the 18th July, 1881 in respect of the parcel of land formerly known as No. 40 Tranquillity Lots, Port-of-Spain, the said Lots Nos. 39 and 40 now re-numbered and known together as No. 11 Stanmore Avenue,—assigned by deed dated the 2nd November, 1885, registered as No. 147 of 1894, in favour of William Douglas, James Thin, William Robson, James Steele, Farrest Frew, James Alexander Henderson, John Smart, George Lindley Carstairs, Donald Fisher, James Paterson, Robert Selwick Scott, James Buchanan, James Peddie and William Ballemey (Members of the Finance Committee of the United Presbyterian Church of Scotland appointed by the Synod of that Church).

4. All and Singular that certain messuage and parcel of land situate in the City of Port-of-Spain in the Island of Trinidad formerly known as No. 6A Brunswick Square but now re-numbered and known and assessed as No. 48 Frederick Street and abutting on the North upon No. 50 Frederick Street on the South upon No. 46 Frederick Street on the East upon No. 68 Prince Street and on the West upon Frederick Street,—conveyed, by deed dated the 21st May, 1930, registered as No. 2108 of 1930, to The Incorporated Trustees of the Presbyterian Church in Trinidad.

B. ST. ANN'S CHURCH

5. *St. Ann's Church, Manse, Hall and other property* :—The adjoining parcels of land hereunder described, the parcel of land *firstly* described being now known as No. 152 Charlotte Street, Port-of-Spain (on which the Church is situate) and as No. 154 Charlotte Street, Port-of-Spain (on which the Manse is situate), and the parcel of land *secondly* described being now known as No. 84 Oxford Street, Port-of-Spain (on which the Church Hall is situate) and as No. 84A Oxford Street, Port-of-Spain, together with the Church, Manse and messuages, dwelling houses and all other buildings thereon, subject to the trusts and the provisions and declarations contained in Ordinance No. 23 of 1855 under which the property of St. Ann's United Free Church of Scotland was vested in trustees for the Kirk Session and Congregation of the said Church:

All and Singular those two certain lots or parcels of land situated in the City of Port-of-Spain in the Island of Trinidad having a frontage of 120 feet on Charlotte Street and 253 feet on the Southern Boundary Line and 324 feet on the Northern Boundary Line, English Measure, *the first thereof* being formerly lot No. 7 Observatory Lots now known as lot No. 152 Charlotte Street and 88, Oxford Street and abutting on the North upon No. 158 Charlotte Street on the South upon Oxford Street on the East upon lot formerly lot No. 10 Observatory Lots now known as lots Nos. 84 and 84A Oxford Street and on the West upon a Road formerly St. Ann's Road now known as Charlotte Street, *the second thereof* being formerly lot No. 10 Observatory Lots now known as lots Nos. 84 and 84A Oxford Street and abutting on the North upon lot formerly No. 9 Observatory Lots now known as No. 6 Belmont Circular Road on the South upon Oxford Street on the East upon St. Ann's River now known as Dry River and on the West upon lot formerly No. 7 Observatory Lots and No. 88 Oxford Street,—
conveyed by the representatives of the sole surviving trustee under Ordinance No. 23 of 1855, by deed dated the 4th April, 1912, registered as No. 1,390 of 1912, to The Incorporated Trustees of the Presbyterian Church in Trinidad.

C. AROUCA MISSION CHURCH

6. Two parcels of land comprising 73,230 square feet situate at Arouca abutting on the North on the Main Road leading to Arima on the South on a Natural Savannah on the East on a Natural Savannah and on the West on a road leading to the Golden Grove Estate, the subject of a Royal Grant, dated the 13th August, 1841 and registered as No. 367 of 1844, in favour of Alexander Brodie and George Kennedy,—
conveyed with the buildings thereon, by Alexander Brodie and George Kennedy, by deed dated the 4th September, 1844 and registered as No. 421 of 1844, to George Robson, Andrew Robertson and Allan Freer Banker as Trustees.

D. SANGRE GRANDE MISSION CHURCH

7. The right title and interest of the lessee The Incorporated Trustees of the Presbyterian Church in Trinidad under a deed of lease dated the 11th June, 1904, registered as No. 1,748 of 1904, from Jane Park Riddell and Nathan William Brooks for the term of 99 years from the 1st June, 1904, in respect of a parcel of land at Sangre Grande measuring 50 feet by 80 feet, at an annual rental of one shilling payable on the 31st December.

Passed in Council this eleventh day of April, in the year of Our Lord one thousand nine hundred and fifty-eight.

P. A. GRANNUM,
Acting Clerk of the Council