7-8 ELIZABETH II.

CHAP. 67

An Act to incorporate The Free Methodist Church in Canada.

[*Assented to 8th July, 1959.*]

Preamble. 1900, c. 101; 1927, c. 107.

WHEREAS the Holiness Movement Church in Canada and The Free Methodist Church in Canada, recognizing their adherence to the same fundamental principles and doctrine of the Christian faith, and believing that the promotion of Christian unity is in accordance with the Divine Will, have executed an agreement to merge with each other and to form a single religious body under the name of The Free Methodist Church in Canada; and

WHEREAS the said Churches have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Merger and incorporation.

1. The Holiness Movement Church in Canada and The Free Methodist Church in Canada are hereby merged and the said Churches as so merged are hereby constituted a body corporate and politic and are continued under the name of The Free Methodist Church in Canada, hereinafter called "The Free Methodist Church".

Head office.

2. (1) The head office of The Free Methodist Church shall be at the town of Port Credit, in the province of Ontario, or at such other place as may be decided by The Free Methodist Church.

Notice of change.

(2) Notice in writing shall be given to the Secretary of State by The Free Methodist Church of any change of the head office and such notice shall be published forthwith in the *Canada Gazette*.

Non-concurring congregations.

3. (1) If any congregation of the Holiness Movement Church in Canada, at a meeting of the congregation regularly called and held within two years of the coming into

force

force of this Act, decides by a majority vote of sixty per cent of the persons present at such meeting not to merge with The Free Methodist Church, it shall be deemed not to have been so merged. Any such congregation is hereinafter referred to as a "non-concurring congregation" and the church concerned as an "independent church". The members of any such independent church shall be deemed not to have become members of The Free Methodist Church, but ministers of The Free Methodist Church may serve such independent churches without prejudice to their standing in The Free Methodist Church.

Voting procedure.

(2) The vote referred to in subsection (1) shall be taken by ballot in such form and manner and at such time and place as may be ordered by the congregation: Provided

Proviso.

that not less than two weeks' notice of the time, place and purpose of the meeting shall be given to each member of the congregation by mail addressed to his last known address. The persons entitled to vote as aforesaid shall be only those persons whose names are enrolled in full membership of the church at the time of the coming into force of this Act and who continue in membership at the time the vote

Proviso.

is taken: Provided that in any province where, by an Act of the legislature respecting the Holiness Movement Church in Canada passed prior to the coming into force of this Act, other qualifications for voting have been prescribed, the qualifications for voting under this section shall be as provided in such Act.

Procedure for non-concurring congregation joining The Free Methodist Church.

(3) Any non-concurring congregation which, within two years of the coming into force of this Act, decides to join The Free Methodist Church may do so by a majority vote of sixty per cent conducted under the conditions and in the manner set out in subsections (1) and (2), but such joining shall be subject to the approval of The Free Methodist Church expressed in such form as may be provided in its by-laws, rules and regulations.

Restriction on name.

(4) A non-concurring congregation shall not use the name of either of the Churches mentioned in the preamble to this Act to designate the said congregation.

(5) Any member of a concurring congregation of the Holiness Movement Church in Canada may, within two years of the coming into force of this Act, notify in writing the secretary of the official board or pastor of the local church or society of which he is a member, of his intention not to become a member of The Free Methodist Church. If he does so, he shall cease to be a member of such local church or society and shall be deemed not to have become, by virtue of this Act, a member of The Free Methodist Church and shall be granted a letter of transfer to such church or fellowship as he may select.

Non-concurring ministers.

(6) Any minister of the Holiness Movement Church in Canada may postpone his decision to come into The Free Methodist Church and, if so, he will be permitted to retain his parchments or credentials, without endorsement by The Free Methodist Church, for a period of two years from the coming into force of this Act, with all his present privileges as a clergyman and with the official sanction of The Free Methodist Church. During the said two year period such minister shall be amenable to The Free Methodist Church in all moral, spiritual and religious respects. He may attend the conference of The Free Methodist Church having jurisdiction in the territory within which he resides, but shall have no voice or vote in the proceedings of the conference. During the two year period herein provided he may be described or listed in such manner as the conference may provide. At the end of such period he will be required to have his parchments or credentials endorsed by The Free Methodist Church and enter into full relationship to such Church or to request a certificate of his standing to enable him to transfer to such evangelical Church or fellowship as he may select.

Management.

4. The spiritual and temporal affairs of The Free Methodist Church shall be managed and directed by a General Conference constituted, in the first instance, as provided for in the First Schedule to this Act, which reproduces extracts from the Agreement of Merger of the Holiness Movement Church in Canada and The Free Methodist Church in Canada concluded on the third day of December, 1958: Provided that, pending the holding of the first meeting of the General Conference in Canada, which shall be held at such time and place as the Executive Board of The Free Methodist Church in Canada as incorporated by chapter 107 of the statutes of 1927 may direct, such Executive Board may exercise all of the powers conferred on The Free Methodist Church or the General Conference under this Act and the affairs of The Free Methodist Church shall be managed and directed by such Executive Board.

Proviso.

1927, c. 107.

Property vested in The Free Methodist Church.

5. (1) Upon the coming into force of this Act all the property, real and personal, to which either of the Churches mentioned in the preamble to this Act is now entitled or to which either of them may become entitled, belonging to or held in trust or to the use of either of the Churches mentioned in the preamble to this Act, shall henceforth be held and vested in The Free Methodist Church, and all such property shall be held for the benefit of The Free Methodist Church and the trustees thereof shall hold, use

and administer the same upon the trusts set forth in the Second Schedule to this Act, and all property, real and personal, hereafter acquired for or belonging to, or held by or in trust for or to the use of, any congregations of either of the Churches mentioned in the preamble to this Act shall be held and administered for the benefit of such congregations as a part of The Free Methodist Church subject to the terms, conditions and provisions of the said trusts: Provided that any property, real or personal, held at the time of the coming into force of this Act, or thereafter acquired by devise, bequest, transfer or gift, in trust for any special use of any congregation, shall be held, used and administered in accordance with the special trusts so declared in respect thereof, not being contrary to law or to any by-law, rule or regulation of The Free Methodist Church, until otherwise directed by the General Conference upon the advice of the board or committee having charge of the fund.

Proviso.

Exception for non-concurring congregation.

(2) Notwithstanding subsection (1), when a congregation has decided in accordance with section 3 not to merge with The Free Methodist Church, all the property, real and personal, of such congregation shall be held by the existing trustees of the congregation, or other trustees elected by the congregation, free from any trusts or reversion in favour of The Free Methodist Church. At the same time, conveyances will be executed by the Holiness Movement Church in Canada to the duly qualified and elected trustees of such congregation conveying the interest of The Holiness Movement Church in Canada in such property to such church, upon the execution of a waiver by the trustees duly authorized by the church membership waiving any claim or claims upon the Holiness Movement Church in Canada or The Free Methodist Church except as to any equitable claims in any conference assets determinable under section 13.

Short form of trust deed.

6. In any deed or conveyance to trustees on behalf of the Free Methodist Church or any congregation thereof, the form of words contained in column one of the Second Schedule to this Act and distinguished by any number therein shall be taken to be the equivalent of the form of words contained in column two of the said Schedule and distinguished by the same number.

Objects.

7. The objects of The Free Methodist Church shall be to

(*a*) promote, maintain, superintend and carry on, in accordance with the faith, doctrines, constitution, acts and rulings of the said Church, any or all of the work of that body;

(*b*) advance and increase the diffusion of the faith of the said Church in all lawful ways;

(*c*) organize, establish, maintain and carry on residences, missions, churches, places of worship, parsonages, orphanages, homes for the aged, rest homes and institutions, and agencies for promoting, teaching, propagating and disseminating the faith and doctrine of the said Church and for training persons for the said purposes;

(*d*) promote, organize, establish, maintain and carry on social service, welfare and guidance institutions and agencies;

(*e*) promote education, instruction and culture, and organize, establish, maintain and carry on schools, colleges, academies, seminaries, institutions of learning, recreational halls, centers and agencies, and industrial, technical and agricultural institutes and farms;

(*f*) promote charity and care for the poor, and organize, establish, maintain and carry on charitable institutions, hospitals, clinics, dispensaries and cemeteries;

(*g*) organize, establish, maintain and carry on libraries and houses and agencies for printing, publishing and disseminating literature, newspapers, periodicals and works of education, religion, art and science; and

(*h*) promote the spiritual welfare of all the congregations and mission fields of The Free Methodist Church.

General powers of The Free Methodist Church.

8. (1) The Free Methodist Church may from time to time appoint and remove the officers, agents and servants thereof and, notwithstanding anything contained in the First Schedule to this Act, from time to time may make, alter or repeal any by-laws, rules or regulations touching and concerning the constitution of and rules of procedure respecting the General Conference and such other bodies as may be established under this Act, the time and place of holding meetings and notices thereof, the conduct of Divine worship, and the good order, discipline and government of the said Church.

Documents to be evidence.

(2) Any copy of the by-laws, rules and regulations of The Free Methodist Church, or any amendments or alterations thereto, published in any book of discipline or journal of conference issued under the direction or authority of the General Conference of the said Church, and any copy of any by-law, rule, regulation or resolution of the said General Conference under the seal of the said Church, and signed by the Secretary, shall be evidence in all courts of the contents thereof.

Boards and committees.

9. The Free Methodist Church may appoint, from among its members, boards or committees to take charge of, deal with and dispose of the respective funds, including book and publishing interests, and other interests belonging to the said Church, and may establish such other funds as may be deemed expedient, and may appoint boards or committees from among the members of the said Church to take charge of, deal with and dispose of the said funds so formed, in accordance with the provisions of its by-laws, rules and regulations.

Acquisition and disposal of property

10. (1) The Free Methodist Church shall have power to

(*a*) acquire by purchase, lease, gift, devise or bequest any real or personal property, or any estate or interest therein, either absolutely or in trust, and, subject to the provisions of sections 4 and 5 of this Act, sell, transfer, exchange, mortgage, hypothecate, lease or otherwise dispose of the same or any part thereof, and apply the proceeds of any such property for its purposes;

Grants to other religious bodies.

(*b*) give, grant, convey, lease or otherwise alienate any property, real or personal, to any other church or religious body or organization or to any trustees, board, committee, or governing body thereof, as it may deem expedient, in pursuance of any agreement or understanding with such church or religious body or organization for the purpose of co-operation in the prosecution of religious work;

R.S., c. 31; 1956, c. 28; 1957-58, c. 11.

(*c*) lend money upon the security of real estate and invest and re-invest any of its funds and moneys in any securities authorized for investment by insurance companies under the *Canadian and British Insurance Companies Act*, and for all purposes of any loan or investment it shall have all such rights and remedies for the collection, enforcement or repayment thereof as any other individual or corporation would have by law in the premises;

Loans for building purposes.

(*d*) lend or give any of its property, funds or moneys for, or to assist in, the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital, or for any other religious, charitable, educational, congregational or social purpose, upon such terms and securities as it may deem expedient, and it shall have in respect of any such loan the rights and remedies mentioned in paragraph (*c*) above;

Borrowing powers.

(*e*) borrow money for its purposes upon its credit, and mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan;

(*f*) make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments; Negotiable instruments.

(*g*) receive and accept for its own use as to the principal sum or corpus thereof any moneys or other personal property subject to and in consideration of the payment of interest thereon or of any annuity in respect thereof; Annuities, etc.

(*h*) make such by-laws, rules or regulations as it may deem expedient for the exercise of any powers conferred by this Act and amend or repeal any such by-laws, rules or regulations; By-laws.

(*i*) exercise the powers conferred by this Act, or any of them, by and through such boards, committees or other bodies as the General Conference or any conference acting within its jurisdiction under the provisions of the by-laws, rules and regulations may from time to time establish or appoint, and determine the method of appointment or election thereof, and define and prescribe the constitution, powers, duties, officers and quorum of such boards, committees or other bodies; Boards and committees.

(*j*) do all such lawful acts or things as may be requisite to carry out the terms and provisions of this Act and the objects and purposes of The Free Methodist Church. Residual powers.

(2) Nothing in this section shall be construed to authorize The Free Methodist Church to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance. Restriction.

11. (1) The Free Methodist Church, and any board or committee appointed thereby or by any conference thereof having charge of any of the funds or property of The Free Methodist Church, and the trustees of any congregation of The Free Methodist Church, if such trustees first obtain the consent in writing of the conference within the bounds of which the lands of such congregation are situate, may issue debentures in such denominations and upon such terms as it or they may deem expedient, under the hand or hands of such officer or officers as may be thereto authorized, and the seal (if any) of such Free Methodist Church or of the board, committee or trustees issuing the same, for any money borrowed under the authority of this Act, and the payment of such debentures and the interest thereon may be secured by mortgage in favour of a trustee or trustees for the holders of such debentures upon any real Debentures.

estate under the control of The Free Methodist Church or of such board or committee thereof or of the trustees of such congregation.

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(2) The said Church may provide a duplicate of its seal (if any) for each of the annual conferences referred to in the First Schedule to this Act, and the custody thereof shall be as may be directed by the said Church, and such duplicate seal may be affixed by such officers as the General Conference may by by-law or resolution direct; and until direction by the said General Conference the same may be affixed to any conveyance of property within the bounds of any of the said annual conferences, by the president or secretary of such annual conference, and may, for the purpose of conveying any property in charge of any board or committee of the said Church, be affixed by the chairman of the said board or committee, or such other officer as the board or committee directs.

iability r debts.

12. (1) The Free Methodist Church shall assume all the liabilities and be responsible for the satisfaction of all the debts and other obligations to which either of the Churches mentioned in the preamble to this Act were subject at the time of the coming into force of this Act.

(2) Notwithstanding anything contained in subsection (1), The Free Methodist Church in receiving, taking or holding any property heretofore held by either of the Churches mentioned in the preamble to this Act shall not in any way become responsible or liable for the debts or obligations which have been specially contracted in respect thereof, but the property specially charged with the said debts or obligations, and persons who have become liable in respect of the said debts or obligations shall remain liable in the same manner and to the same degree as if this Act had not been passed, save in so far as The Free Methodist Church may undertake the payment of any such debts or obligations.

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rbitration equitable aims.

13. (1) Notwithstanding anything in this Act, any non-concurring congregation or any two or more of such congregation shall be entitled to whatever the arbitration committee hereinafter described shall determine to be a fair and equitable share of the property, real and personal, rights, powers, authorities and privileges of or in connection with the Holiness Movement Church in Canada.

(2) Any equitable claims to the assets referred to in subsection (1) by any independent church or churches under this section shall be determined exclusively by an arbitration committee after a two year period subsequent to the coming into force of this Act. Such arbitration committee shall

consist

consist of nine members of whom three shall be appointed by the non-concurring congregation or congregations at a conference of representatives thereof, three by The Free Methodist Church, and the remaining three by the six members so appointed. Any determination, decision or order made by such arbitration committee shall be final and conclusive.

(3) The quorum of the committee shall be five and its organization, times and places of meeting and procedure shall be such as it may from time to time determine and the decision of a majority of the members present at any meeting shall prevail.

(4) Any determination, decision or order made by the arbitration committee may be made a rule, order or decree of the Exchequer Court or any Superior Court of any province of Canada and shall be enforced in like manner as any rule, order or decree of such court. A copy of such determination, decision or order, certified under the hand of the chairman, secretary, or acting chairman of the committee and verified by an affidavit or statutory declaration of execution, shall be sufficient evidence of the due making and validity of any such determination, decision or order.

(5) The arbitration committee may retain counsel and engage all such professional or other assistance and may appoint and employ all such help as it may deem expedient and may dismiss any person so retained, engaged, employed or appointed.

(6) All expenses of such arbitration committee, including compensation of counsel and other assistants, shall be paid in such manner and out of such funds of The Free Methodist Church or of the non-concurring churches, or of both, as the committee may direct.

(7) If any vacancy occurs in the membership of the arbitration committee, it shall be filled by a member to be appointed in the manner in which the member vacating the office was originally appointed.

(8) The arbitration committee shall make such provision as it may deem fair and equitable to protect the rights of all claimants upon the benevolent funds of the Holiness Movement Church in Canada.

14. Chapter 107 of the statutes of 1927 and chapter 101 of the statutes of 1900 are repealed in so far as may be necessary to give full effect to this Act. Repeal.

FIRST SCHEDULE

AN EXTRACT FROM SCHEDULE A TO THE AGREEMENT OF MERGER BETWEEN THE HOLINESS MOVEMENT CHURCH IN CANADA AND THE FREE METHODIST CHURCH IN CANADA EXECUTED BY THE PARTIES THERETO ON THE 3RD DAY OF DECEMBER, 1958.

ORGANIZATION AND GOVERNMENT

PASTORAL CHARGES, QUARTERLY AND ANNUAL CONFERENCES

1. The lay membership of the church shall be divided into local societies, one or more of which shall constitute a pastoral charge.

2. The pastoral charges embraced within each annual conference shall be grouped into districts, and a quarterly conference shall be organized in each district, composed of such official members of the several pastoral charges and invested with such powers as the general conference shall direct.

3. The general conference shall organize the work at large into annual conferences, of which the preachers (not being members of any local societies) shall be permanent members; and to which, at each session, one lay delegate shall be admitted from each pastoral charge and in case there be more than one preacher in full membership appointed to a pastoral charge, such pastoral charge shall be entitled to one additional lay delegate for every such additional preacher.

THE GENERAL CONFERENCE

1. The general conference shall be composed of the ministerial and lay delegates, to be chosen as hereinafter provided.

2. Each annual conference shall be entitled to one ministerial delegate in the general conference; and whenever an annual conference shall reach an aggregate of eight hundred full members, it shall be entitled to two ministerial delegates, and to an additional ministerial delegate for every subsequent six hundred full members, provided, however, that in no case shall a preacher be counted more than once in the election of delegates.

3. The ministerial delegates shall be elected by the ministers of the annual conference by ballot. Such delegates shall be elders, and at the time of their election, as also at the time of the general conference, shall be members of the annual conference which elected them.

4. Each annual conference shall be entitled to the same number of lay as of ministerial delegates in the general conference.

5. Lay delegates to the general conference shall be elected by the lay delegates of the annual conferences they are respectively to represent. They shall be elected by ballot, from the members of the church in full relation within the bounds of the annual conferences to which they respectively belong, and must be members of the church within the conference which elected them at the time of the general conference.

6. The secretaries of the several annual conferences shall furnish certificates of election to the delegates severally, signed by the president and secretary of each annual conference, as the credentials upon which they are to be admitted to the general conference.

SECOND SCHEDULE

AN EXTRACT FROM SCHEDULE B TO THE AGREEMENT OF MERGER BETWEEN THE HOLINESS MOVEMENT CHURCH IN CANADA AND THE FREE METHODIST CHURCH IN CANADA EXECUTED BY THE PARTIES THERETO ON THE 3RD DAY OF DECEMBER, 1958.

Trusts of Model Deed

AND it is hereby declared that the said trustees and their successors or the trustee for the time being, acting in the trusts herein shall hold the said lands upon the following trusts:—

COLUMN TWO	COLUMN ONE
1. For the use and benefit of the said church, conference, district, circuit or society, as the case may be, as a part of the Free Methodist Church in Canada, as well for the site of a church, parsonage school or other buildings for religious or social purposes, or for a burial ground as the society may direct, as for the support and maintenance of public worship and the propagation of Christian knowledge, according to the doctrine, discipline, by-laws, rules and regulations of the Free Methodist Church.	1. Upon trust to use the trust property for purposes directed by society, and maintenance of public worship.
2. And upon further trust out of moneys received by them for that purpose to build, add to, or alter any of the buildings aforesaid from time to time, as they may deem expedient and where they deem it necessary to remove any of the said buildings for any of the purposes aforesaid.	2. To erect and repair buildings.
3. And upon further trusts, they shall and will obey, perform and fulfill and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building, or buildings, at any time thereon, or to any burial ground, the lawful orders and directions respectively, of the official Board of the said circuit and the Conference within whose bounds and under whose ecclesiastical jurisdiction the said society shall from time to time be, and of the General Conference of the Free Methodist Church.	3. To obey all lawful orders and directions.
4. And upon further trust, to permit, in conformity with the doctrines, rules and regulations of the Free Methodist Church, and not otherwise, the following:—	4. To permit use of the trust property for church, parsonage and Sunday School purposes.

(*a*) The use of the said church or meeting house, as a place of religious worship by a society of the Free Methodist Church, and for meetings or services of religious or spiritual character, or such other benevolent or educational purposes as may be approved by the society meeting of such society, and the conduct of the public worship and various services and ordinances of religious worship therein by the minister of said society, or with the approval of the minister by any other minister of the Free Methodist Church in Canada or by any minister of any other religious denomination.

(*b*) The performance of burial services in any burial ground belonging to or under the control of the society.

(*c*) The use of the parsonage or minister's dwelling with the appurtenances thereof by the minister of the society free from payment of any rent.

(*d*) The use of any church meeting house, school or other building for the purpose of Sunday School, at such hours and times as will not interfere with public worship.

(*e*) The use of any buildings erected upon the said lands other than church or meeting house for such purposes as may from time to time be approved by society meeting.

5. To sell burial plots and to let church property.

5. And upon further trust, to let any church property not required for purposes of worship at a reasonable rent, if so authorized by the Official Board of the Circuit and the district superintendent, and if there shall be a burial ground or cemetery, to sell or rent tombs and burial plots at a reasonable price, and to account for and pay all moneys received for said rent or sale, less any expense incurred in the execution of these trusts to the Treasurer of the society, or if there be no treasurer, then to the Official Board of the circuit to be applied as that body may direct.

6. The trustees shall have power to mortgage or exchange or lease the trust property

6. The trustees or a majority of them may sell the said lands, or any part thereof, either by public sale or private contract, and either for cash or upon credit, and upon such terms

terms as to payment or otherwise, as they may deem expedient, and may mortgage, hypothecate or exchange the said lands, or any part thereof, and make all such conveyances, mortgages and assurances, as may be required, to complete any such sale, mortgage, hypothecation or exchange: Provided, however, that no church property shall be sold without the consent of the society and of the district superintendent and the approval of the Annual Conference; such approval to be under the hand of the President and Secretary of said Annual Conference and in all cases the proceeds of such sale, after first paying for or otherwise providing for all indebtedness of the trustees, shall be used by the trustees either for the purchase or improvement of property, and deeded to the same corporation or trustees, or if not so used, shall be held subject to the order of the Annual Conference in whose territory the property may be situated. In every case where the consent of such Conference has been obtained, as aforesaid, it shall not be incumbent upon the purchaser or mortgagee of the said lands, or any part thereof, to enquire into the necessity, expediency or propriety of any such sale, mortgage, hypothecation, lease or exchange, or to see to the application of the moneys paid to the trustees. A certificate of the Secretary of any Conference, that any such consent has been given, shall be sufficient and conclusive evidence of such consent.

or to sell such property with consent of the Conference.

7. In no case shall the church or parsonage property be sold, mortgaged or encumbered for current expenses.

7. Not to mortgage for current expenses.

8. The said trustees shall keep a proper book or books of account, showing all moneys received and disbursed by them, and a book or books of minutes showing correctly all minutes of their meetings and of resolutions passed and proceedings taken thereat, and such book or books shall at all reasonable times be open for inspection by the minister in charge of the society, and by the Official Board, and any person or persons named by them or either of them, and the said minister or said Official Board, and any person named by them, or either of them, as aforesaid, shall have the right to make such copies of or extracts from

8. The trustees shall keep proper accounts and minutes.

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the said accounts or minutes as he or they may desire, and upon the request from the Official Board, the trustees shall submit all books of accounts and minutes and all vouchers, receipts, papers and documents relating to the said accounts for audit by the Official Board, or such person or persons as the said Official Board may appoint for the purpose.

9. Every meeting of trustees for considering the making of any alteration of, or addition to any building on the said lands, or any part thereof, except the letting or sale of vaults, tombs, or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each member shall be entitled to ten days' notice in writing thereof, specifying the time, place and purpose of such meeting. Such notice shall be either personally delivered to each trustee, or mailed to or delivered to him or her at his or her usual place of abode or business. Ordinary meetings may be called at any time by giving at least three days' notice in writing to each trustee in the manner aforesaid, or by public announcement at a service for public worship at least three days prior to such meeting. Meetings may be called by the Minister in charge of the society, or by at least two of the trustees. Notwithstanding anything herein contained no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any trustee. All questions shall be determined by the majority vote of the trustees at a meeting and the chairman shall have a casting vote in the event of a tie. The minister of such society shall have the right to preside as chairman at all meetings of trustees, and may appoint a deputy to act in his place in his absence and in the absence of the minister and any such deputy, the trustees present may elect a chairman among themselves.

9. The trustees shall have ten days' notice of all special meetings and three days' notice of other meetings.

10. The number of said trustees shall not be fewer than three or more than nine. In case any of the said trustees or any trustee, shall during his term of office, die, resign, or,

10. The number of trustees shall not be fewer than three, or more than nine, except having

having been, cease to be a full member of the Free Methodist Church in Canada, or remove to such a distance as shall in the opinion of his co-trustees expressed by a two-thirds vote of the said co-trustees render it inexpedient for him to remain a trustee, or in case the society shall think proper to remove a trustee from his office as trustee, it shall be lawful for the said society at any meeting regularly called to declare his place vacant, and it shall be lawful for the said society by a like vote to appoint a successor to such trustee: Provided however, that no trustee, who is personally liable for payment of any indebtedness in respect of the property of a society shall be removed without his consent, unless indemnified to his satisfaction in respect of any such liability. During any vacancy in the office of trustee the remaining trustees, not being fewer than three in number shall have all the powers of the full board. The majority of the trustees shall form a quorum. At least two-thirds of the trustees shall be full members of the Free Methodist Church in Canada. A minute of every such appointment of a trustee shall be entered in a book to be kept for that purpose and signed by the Secretary of the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were elected at such meeting, but any omission or neglect to make or sign such minute, shall not invalidate such appointment or election, and in the event that the society shall at any time neglect to fill a vacancy or vacancies in the Board of Trustees, the Official Board of the Circuit may appoint a trustee or trustees to such vacancy, provided that if there be no Official Board, or if for any reason the vacancy shall not be filled, it shall be the duty of the Quarterly Conference to fill such vacancy.

And it is further declared that if at any time there shall cease to be an organized society entitled to the use, benefit and enjoyment of the said lands, the said lands shall thenceforth be held subject to such trusts and for such purposes for the benefit of the Free Methodist Church in Canada as the Conference within the bounds of which the said lands in case of schools, and property jointly held, and vacancies shall be filled by election by the society, or in default of such election by the Official Board and the property of a society which ceases to exist shall be subject to the trusts determined by the Conference.

lands are situated may determine under the by-laws, rules and regulations of the General Conference.

11. A trustee shall not be responsible for the failure of any investment or security made or taken by the trustees, or for anything done in connection with the trust estate, except for his own acts and to account for any moneys coming into his hands, and shall not be liable for injury done by others to the said trust premises, or to any part thereof.

11. Trustees shall not be liable for involuntary loss.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA 1959