

## No. 30 of 1890.

### An Ordinance to amend the Ordinance No. 12 of 1846.

**W**HEREAS it is expedient to amend the Ordinance No. 12 of 1846, intituled "An Ordinance to regulate the temporal affairs of the Episcopal Churches in the Island of Ceylon, which have been erected or are now in course of erection, or which may hereafter be erected, in terms of the Ordinance No. 1 of 1845," hereinafter referred to as "the principal Ordinance:" Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

1 After section 18 of the principal Ordinance the following section shall be added and numbered 18 (a) namely:

Section 18 (a)  
inserted after  
section 18.

It shall be lawful for the said trustees, after defraying such necessary expenses as are specified in the preceding section, to spend any income, rents, revenues, interest, fees,

Trustees  
authorized to  
acquire property

*Episcopal Churches.*

and maintain parsonages, schools, and missions out of income and collections.

collections, or subscriptions, or any other funds which may come into their hands as trustees of any such church, in the purchase or acquirement of property of any description for the purposes of their trust, or in the payment of the stipends of the clergy, teachers, and catechists of such church, or in the erection or purchase of a parsonage for the use of the clergyman of such church, or for the maintenance of such parsonage and of schools or missions attached to such church, or on any other religious work connected with such church.

Power to trustees to lease real property for a term not exceeding ninety-nine years.

**2** It shall be lawful for the said trustees to lease any portion or portions of the real estate and property vested in them as trustees, or any right or privilege over or affecting any such estate or property, for the purposes of their trust, provided that the following conditions be observed :

- (1) Every such lease shall be made to take effect in possession at or within one year next after the making thereof, and shall be for such term, not exceeding ninety-nine years, as the trustees shall think proper.
- (2) On every such lease shall be reserved the best rent or reservation in the nature of rent, either uniform or not, that can be reasonably obtained.
- (3) Every such lease shall be by notarial instrument, and shall contain a condition for re-entry on non-payment of the rent for a period not less than twenty-eight days after it becomes due.
- (4) Every such lease shall contain such covenants, conditions, and stipulations as the said trustees shall deem expedient with reference to the special circumstances of the demise.

Trustees to nominate clergymen.

**3** It shall be lawful for the said trustees, on the death, retirement, removal, or incapacity of the colonial chaplain or clergyman of any such church, to nominate a fit person to be clergyman thereof, subject to the consent of the bishop of the diocese, and to such rules made by the synod of the diocese in regard to such nomination as may be lawfully binding on them.

Trustees may sell if authorized thereto by trust deed.

**4** Nothing in this Ordinance contained shall affect the right of the said trustees to sell any real estate and property vested in them as trustees in pursuance of, and in accordance with, the terms and conditions contained in the instrument or deed of trust.

To be read as one with Ordinance No. 12 of 1846.

**5** This Ordinance shall be read as one with the principal Ordinance, and shall come into operation on the passing hereof.

17th December, 1890.