

**CHURCH OF SCOTLAND KIRK SESSIONS ACT, 1899**

**23 of 1899**

**[27th September, 1899]**

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An Act provide for the Incorporation of Kirk Sessions of the Church of Scotland in b[India]. Whereas there are in[India] Kirk of Sessions of the Church of Scotland which have been duly constituted to be Church Courts for ecclesiastical purposes in pursuance of Acts of the General Assembly of the Church of Scotland; And Whereas it is expedient that such Kirk Sessions and any others which may hereafter be so constituted, should bt incorporated with the powers hereinafter provided; It is hereby enacted as follows:-

**1. Short title and extent :-**

(1) This Act may be called The Church of Scotland Kirk Sessions Act 1899-,

(2) It extends to the whole of India except <sup>1</sup>[the territories which, immediately before the 1st November, 1936, were comprised in Part B States] <sup>2</sup>[\* \*].

**2** [(3)\* \* \* \*]

1. Substituted for the words "Part B States" by A. L.O.. 1956(1-11-1956).

2. The word "and" sub-section (3) were repeated by the Repealing and Amending Act. 1914 (10 of 1914), S. 3 and Sch. II.

## **2. Scotch Kirk Sessions to be bodies corporate :-**

( 1 ) Every Kirk Sessions which has been, or may hereafter be, duly constituted to be a Church Court for ecclesiastical purposes in pursuance of an Act of the General Assembly of the Church of Scotland, is hereby declared to be, and the same shall be, a body corporate having perpetual succession and a common seal.

(2) A notification by the Central Government in the Official Gazette that a Kirk Session has been duly constituted<sup>1</sup> in pursuance of an Act of the General Assembly of the Church of Scotland shall be conclusive proof that it has been so constituted.

1. For notification declaring the Kirk Sessions at Calcutta, Madras, Bombay and Allahabad to be duly constituted, see Gazette of India, 1900, Pt. I, p. 484; for similar notifications in respect of the Kirk Sessions at Simla and the Kirk Session at Poona and Kotagiri, see 1904, Pt. I, p. 831, 1905, Pt. I, p. 706 and the Repealing and Amending Act. 1914 (10 of 1914), S. 3 and Sch. II, 1928, Pt. I, p. 632, respectively.

## **3. Power to hold and dispose of property :-**

(1) Every Kirk Session constituted as aforesaid shall, as a body corporate, have power to acquire and hold any property which has been, or may hereafter be, vested in it for the purposes of the congregation for which it has been, or may hereafter be, constituted, or of any trust which may have been or may hereafter be, accepted by it, to transfer the same to contract and to do all other things necessary for, or incidental to, the purposes of its constitution or of any such trust as aforesaid.

(2) The signature of the Moderator and Treasurer or Session clerk for the time being of a Kirk Session constituted as aforesaid shall, if affixed on behalf and by order of the Kirk Session, be sufficient for all purposes for which the signatuir of the Kirk Session is required.