

thousand pounds currency be fully paid off and discharged, which was borrowed under the authority of the act of the Legislature of the late province of Canada, passed in the session held in the twenty-seventh and twenty-eighth years of Her Majesty's reign, intituled: "An Act to enable "The Lord Bishop of Montreal, with the consent of the "Incumbent and Churchwardens of Trinity Church, Montreal, to raise a loan or loans on certain church property, "for the purpose of completing Trinity Church."

C A P. L X I V.

An Act to amend the Act intituled "An Act to incorporate the Board for the Management of the Temporalities Fund of the Presbyterian Church of Canada, in connection with the Church of Scotland."

[Assented to 23rd February, 1875.]

Preamble.

WHEREAS by petition it hath been represented that the synods of the Presbyterian Church of Canada in connection with the Church of Scotland, of the Church of the Maritime Provinces in connection with the Church of Scotland, of the Presbyterian Church of the Lower Provinces and the General Assembly of the Canada Presbyterian Church have agreed to unite together, and to form one body or denomination of Christians, under the name of "The Presbyterian Church in Canada;" and that the "Act to incorporate the Board for the management of the temporalities fund of the Presbyterian Church of Canada in connection with the Church of Scotland," and amendments thereto, require to be amended with a view to such union; and in order to the carrying into effect of certain resolutions passed by the Synod of the Presbyterian Church of Canada in connection with the Church of Scotland with reference to said temporalities fund, and for the protection of those interested in the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Management of
temporalities
fund, after the
union.

1. Notwithstanding anything in the said act and amendment or amendments thereto, from and after the time when the moderators of the aforesaid churches negotiating for union shall have signed the terms of union agreed upon, until all the present vested rights of all ministers and probationers shall have ceased or lapsed, the said temporalities fund shall remain as at present in the hands of a board, the membership of which shall be continued after the consummation of union in the manner hereinafter provided: and

the administration of the fund shall continue on the same principles and for the same purposes as at present, until the vested rights of all ministers and probationers shall have lapsed; and these rights shall be held to be the following:

(1.) The annual receipt by ministers now receiving four hundred and fifty dollars (\$450), four hundred dollars (\$400), or two hundred dollars (\$200), of the same amount during their lifetime and good standing in the church. Rights of certain ministers.

(2.) The annual receipt of two thousand dollars (\$2,000), in perpetuity, by the treasurer of Queen's college, for the use and benefit of the said college. Rights of Queen's college.

(3.) The annual receipt of two hundred dollars (\$200) by all the ministers who shall be on the synod roll, and by all recognized probationers and licentiates engaged in active service at the time of the union, during the lifetime and good standing in the Church of such ministers, probationers and licentiates; all salaries of two hundred dollars to be increased to four hundred dollars (\$400) each, when the recipients of them shall have retired, or who have already retired in the province of Quebec, with the consent of the Church from the active duties of the ministry. The temporalities board shall, if necessary, draw upon the capital of the fund in order to meet the aforesaid requirements. So soon as any part of the revenue accruing from said fund is not required to meet the payments of said incomes and other vested rights in the fund, and expenses therewith, the same shall pass to and be subject to the disposal of said united church; and so soon as the fund or any part of it, shall no longer be required for these purposes, it shall, with the exception of the aforesaid annual payment to Queen's college of two thousand dollars (\$2,000), or the same capitalized (and the board shall have power at any time after the passing of this act to capitalize the same, and pay it over to the treasurer of Queen's college for the use and benefit of the said college), be appropriated to a home mission fund for aiding weak charges in the united church. Rights of ministers of the synod, probat. and licentiates. Salaries increased. Remittance to the united church.

2. Provided always, that all ministers and probationers interested or possessing rights in or to the said temporalities fund at the time when such union may be carried into effect, who decline to become parties to such union, or to enter into the said proposed united church, shall be entitled to all the pecuniary rights and claims upon the said fund they respectively had at the date of said union, and which they would have enjoyed had they entered into such union, that is to say, so long as they shall continue to be Presbyterian ministers in good standing within the Dominion of Canada, whether in active service or retired; provided that the successors of ministers of congregations in the pro- Certain privileges of those not uniting them, reserved.

vince of Quebec existing at the time of the union which do not enter into such union, shall retain the same rights to the benefits of the temporalities fund, which they would have had if such union had not taken place; and the said board shall administer the said fund so as to protect their rights until their said rights shall have respectively lapsed and been extinguished; provided also, that nothing contained in this act shall be so construed as to deprive any professor in Queen's college of any right to participate in the said temporalities fund to which, as a minister of the Presbyterian Church of Canada in connection with the Church of Scotland, he would have been entitled had he continued in the active duties of the ministry of the said church.

Vacancies in
the Board of
management

3. As often as any vacancy in the board for the management of the said temporalities fund occurs, by death, resignation or otherwise, the beneficiaries entitled to the benefit of the said fund may each nominate a person, being a minister or member of the said united church; or in the event of there being more than one vacancy, then one person for each vacancy, and the remanent members of the said board shall thereupon, from among the persons so nominated as aforesaid, elect the person or number of persons necessary to fill such vacancy or vacancies, selecting the person or persons who may be nominated by the largest number of beneficiaries but in the event of failure on the part of the beneficiaries, to nominate as aforesaid, the remanent members of the board shall fill up the vacancy or vacancies from among the ministers or members of the said united church.

Meeting of the
beneficiaries.

4. The said board of management shall, within twelve months after the passing of this act, call a meeting of the said beneficiaries at such time and place as may be found most convenient, and at such meeting the said beneficiaries shall have power to make by-laws regulating all matters relating to the mode in which notice of vacancies, occurring as aforesaid, shall be given to them, the time within which such notice shall be given, the form of nomination papers, the time after receiving notice of a vacancy within which the same are to be sent in, the person or persons to whom the same shall be sent and by whom the same shall be opened, the recording the result of such nominations and of the elections consequent thereon, and all other matters relating to or affecting such nominations and elections.

By-laws.

Annual report
of the board of
management.

5. The board of management of the said temporalities fund shall once in each year transmit by post to each beneficiary a printed statement of the affairs of said fund, and a report of the proceedings of the board for the preceding

year, containing such information as may be required by the by-laws to be passed, as hereinafter provided.

6. The books and affairs of the said board shall be au- ^{Books to be audited annually.} dited once in each year by auditors appointed by the beneficiaries, in manner hereinafter provided.

7. At the meeting to be called and held pursuant to section 4, the beneficiaries may make by-laws regulating ^{Power to make by-laws.} the appointment of auditors, and all matters relating to the audit of the affairs of the fund, and to the annual statement and report to be made under section 5.

8. The 3rd section of this act shall continue in force ^{Vacancies in the board.} until the number of beneficiaries is reduced below fifteen ; and so soon as the number is reduced below fifteen, the said board shall be continued by the remanent members filling up any vacancy or vacancies from among the ministers, or members of the said united church, and the auditors shall in like manner be appointed by the said board.

9. All provisions contained in any previous act or amend- ^{Inconsistent provisions.} ment, inconsistent with the provisions of this act, relating to the said board for the management of the temporalities fund, are hereby repealed.

10. This act shall come into force so soon as a notice ^{Coming into force of this act.} shall have been published in the *Quebec Official Gazette*, to the effect that the union of the said four churches has been consummated, and the articles of such union have been signed by the moderators of the said respective churches.

C A P . L X V .

An Act to vest certain Real Estate in the Incumbent and the Church wardens of St. John's Church, of the Parish of St. John the Evangelist, in the Diocese of Montreal, with authority to sell the same, and to apply proceeds in payment of other lands, or towards the erection of a new Church.

[Assented to 23rd February, 1875.]

WHEREAS the Incumbent and the Church wardens of ^{Preamble.} St. John's Church, of the Parish of St. John the Evangelist, in the Diocese of Montreal, represented by the Reverend Edmund Wood, the present Incumbent and Rector, and Reuben Taylor, and Charles G. Geddes, the present