

2 COPY OF ACT *relating to* TEMPORALITIES OF THE UNITED

churchwardens, or after the passing of this Act by the corporation of such church or chapel, and holding a certificate from such corporation of such sitting, shall form a vestry for the purposes in this Act mentioned and declared : Provided, that no such pew-holders or persons holding sittings shall be entitled to vote at any meeting of such vestry, unless all the rent due and payable in respect of such pews or sittings be paid in full.

3. And be it enacted, that a meeting of such vestry shall be holden on Monday in Easter week, in each and every year, after due notice thereof given during Divine service on the morning of Easter Sunday, for the purpose of appointing churchwardens for the ensuing year, and that at such meeting one churchwarden shall be nominated by the incumbent of the said church or chapel, and the other shall be elected by a majority of those present and entitled to vote at such vestry meeting as aforesaid : Provided nevertheless, that in case of such incumbent declining or neglecting to nominate a churchwarden, then both of the said churchwardens shall, for the current year, be elected in the manner aforesaid ; and in case the members of such vestry shall neglect to elect a churchwarden, then both of such churchwardens shall, for the current year, be nominated by the incumbent : Provided always, that if from any cause a vestry meeting shall not take place at the time aforesaid, such appointment of churchwardens may take place at any subsequent vestry meeting to be called, in manner hereinafter provided ; and in case of the death, resignation, refusal to act, or change of residence to ten miles or more from any such church or chapel of either of the said churchwardens, a vestry meeting shall be thereupon called for the election of a new churchwarden by the said vestry, or for the nomination of a new churchwarden by the incumbent, as the case may require.

4. And be it enacted, that no person shall be eligible to the office of churchwarden except members of the said United Church of the full age of 21 years, and who shall also be members of such vestry.

5. And be it enacted, that such churchwardens shall hold their office for one year from the time of their appointment, or until the election of their successors, except in case of an appointment or nomination to fill up any vacancy occasioned by death, resignation, refusal to act, or change of residence as aforesaid ; and in such case the person so appointed or nominated shall hold the said office until the next annual election, or until the election of a successor.

6. And be it enacted, that such churchwardens so to be elected and appointed as aforesaid shall, during their term of office, together with the incumbent, be a corporation, under the name or style of "The Incumbent and the Churchwardens of _____ Church (or Chapel, as the case may be), of the Parish of _____, or of (naming the place, as the case may be), in the Diocese of Montreal," to represent the interests of such church or chapel, and of the members thereof ; and shall and may sue and be sued, answer and be answered unto, in all manner of suits and actions whatsoever ; and more particularly shall and may sue for, recover, and receive all arrears of rent actually due and payable at the passing of this Act, as well as any rent becoming due hereafter, in respect of any pews or sittings in such church or chapel, and may prosecute indictments, presentments, and other criminal proceedings, for and in respect of such churches, chapels and churchyards, and all matters and things appertaining thereto ; and shall and may make and execute faculties or conveyances, or other proper assurances in the law, to all pewholders holding their pews by purchase, or lease to those holding the same by lease, and shall and may grant certificates to those who shall have rented sittings, such conveyances, leases, and certificates to be given within a reasonable time after demand made, and at the charges of the person applying for the same, and further, it shall be the duty of such corporation, from time to time, to sell, lease, and rent pews and sittings, upon such terms as may be settled and appointed at vestry meetings to be holden for that purpose as hereinafter provided : Provided always, that any such sale, lease or renting, shall be subject to such rentcharge, or other rent, as may from time to time be rated and assessed in respect thereof at such vestry meeting.

7. And be it enacted, that in case of the absolute purchase of any pew in any such church or chapel as aforesaid, the same shall be construed as a freehold of inheritance.