

last named persons to act as members of the said Board and of the said Corporation, without having been elected as members of such Board in the manner provided by law, and by the said Act of Incorporation, and, further, by administering intermeddling with, and disbursing the funds and property of the said Corporation in a manner and for purposes not authorised by the said Act of Incorporation of the 22nd Vic., Chap. 66; and by holding, administering, dispensing and disposing of the funds and property of the said Corporation, without having a sufficient number of members of the said Corporation elected in the manner provided by law, and in the Act of Incorporation thereof, to constitute a quorum of the said Corporation or of the said Board. And that it be further adjudged and declared that the said Rev-10 erend John Jenkins, Reverend Gavin Lang, William Walker, Esquire, Robert Dennistoun, Esquire, Reverend John Cook, Reverend Daniel M. Gordon, Sir Hugh Allan, John L. Morris, Esquire, Rev. John H. Mackerras, William Darling, Esquire, and Alexander Mitchell, Esquire, have no right or authority to sit, deliberate or act as members of the said Corporation or Board, and thereupon further prays that the said Corporation be by such judgment restrained from acting and proceeding in respect of the duties imposed upon them by the said Act of Incorporation of the 22nd Vic. Chap. 66; and from administering, using, dispensing or disposing of the funds and property of the said Corporation: and be ordered and enjoined not to act in respect of the said duties and powers, and in respect of the said 20 funds and property, until an adequate and sufficient number of members thereof shall have been duly elected in the manner and with the formalities provided by law and by the said last mentioned Act of Incorporation.

And further, that the Respondents, Rev. John Jenkins, Rev. Gavin Lang William Walker, Esquire, Robert Dennistoun, Esquire, Reverend John Cook, Reverend Daniel M. Gordon, Sir Hugh Allan, Reverend John MacKerras, William Darling, Esquire, Alexander Mitchell, and John L. Morris, Esquire, be restrained from acting as members of the said Board, and be enjoined not to sit or act as, or perform any of the functions of members of the said Board, unless and until they shall be duly elected members thereof, in the manner, and with the formalities 30 provided by the said Act of Incorporation of the said Board, 22 Vic. chap. 66.

And the Petitioner further prays, that it be ordered, that the said Respondents, and each and all of them do forthwith suspend any and all acts and proceedings in their several capacities respectively; in respect of the administration of the said funds and property, and in respect of all matters in dispute in this cause.

That it be adjudged and declared that the Fund administered by the Corporation, Respondents, amounting to the sum of four hundred and sixty-three thousand, three hundred and seventy-one dollars and fifty-two cents, (\$463,371.52) is a Fund held in Trust by them for the benefit of the Presbyterian Church of Canada, in connection with the Church of Scotland, and for the benefit of the 40 Ministers and Missionaries who retain their connection therewith and who have not ceased to be Ministers thereof, and for no other purpose whatever.

That the said Reverend John Cook, Reverend James C. Muir, and Reverend George Bell, be declared to have ceased to be Members of the Presbyterian Church of Canada, in connection with the Church of Scotland, and not be entitled to any sum of money or benefit from the funds administered by Respondents. That the said Reverend John Fairlie, Reverend W. Morison and Reverend Charles A. Tanner be declared not entitled to receive any sum of money whatever from the