

## CHURCH TEMPORALITIES ACT.

ANNO QUARTO ET QUINTO VICTORIÆ REGINÆ.

*An Act to make provision for the management of the Temporalities of the United Church of England and Ireland, in this Province, and for other purposes therein mentioned.*

[Royal Assent promulgated 3rd December, 1841.]

Whereas it is desired on behalf of the United Church of England and Ireland, in the Province of Upper Canada, that provision should be made by law for the internal management, by the members of the said Church, of the Temporalities thereof, and also for allowing the endowment thereof; and it is just and expedient that such provision should be made: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the passing of this Act, the soil and freehold of all Churches of the Communion of the said United Church of England and Ireland, now erected or hereafter to be erected in the said Province, and of the Churchyards and Burying-grounds attached or belonging thereto, respectively, shall be in the Parson or other Incumbent thereof, for the time being, and that the possession thereof shall be in the Incumbent for the time being, and the Churchwardens to be appointed as hereinafter is mentioned, by whatever title the same may be now held, whether vested in Trustees for the use of the Church, or whether the legal estate remains in the Crown, by reason of no patent having been issued, though set apart for the purpose of such Church, Churchyard or Burying ground: Provided always, that nothing herein contained shall extend to affect the rights of any other Church, or body of Christians, to any Landed Property, or Church now erected, but that the same shall remain as if this Act had not been passed.

II. And be it  
Pewholders in su  
or lease, and all p  
to them by Chur  
wardens of such  
Act mentioned an

III. And be i  
meeting of such v  
and every year, a  
on the morning of  
wardens for the e  
warden shall be n  
Rectory to which  
elected by a major  
vestry meeting as  
such Incumbent d  
then both of the s  
elected in the man  
try shall neglect to  
wardens shall, for  
Provided always,  
take place at the ti  
may take place a  
manner hereinafter  
residence to twenty  
the said Churchwa  
for the election, by  
the one deceased or  
the nomination of  
one deceased or re

IV. And be it f  
person shall be eligi  
of the said Church  
also be members of

V. And be it fur  
Churchwardens sha  
their appointment,  
case of an appointm  
by death or removal  
pointed or nominate  
election.

VI. And be it fu  
such Churchwarden  
during their term of  
of such Church, and  
and be sued, answer  
actions whatsoever,  
other criminal proce  
Churchyards, and  
shall and may in co  
and execute faculties