

so continued when in 1875, an Act of the Legislature of Ontario was passed for the union of the several Presbyterian Churches then existing in Ontario, but the members of this Church voted themselves out of the union as provided by the Act, notwithstanding which the defendant gave in his adherence to the union :

*Held*, under these circumstances, that the lands granted by the patent, as also the church and other buildings erected thereon, belonged to and were the property of the congregation ; and that the defendant having joined the union was no longer entitled to hold possession or receive the benefits of the same.

McPherson v. McKay, 141.

[Since argued in Appeal, and stands for judgment.]

See also " Presbyterian Union Act."

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PRESBYTERIAN UNION ACT OF 1874, 38 VICT.  
CH. 75.

1. *Held*, under the circumstances appearing in this case, that the anti-unionists had not properly voted themselves out of the union within the six months prescribed in the statute respecting the Union of Presbyterian Churches, 38 Vict. ch. 75, O., and that the property in question, St. Andrew's Church, Dalhousie Mills, belonged to the " Presbyterian Church in Canada," the meeting at which they had assumed to vote themselves out having, according to the practice of the Church, been irregularly called by an announcement from the pulpit on Sunday for the following Tuesday ; and which announcement was made by a minister who had formally dissented from the union, then performing divine service therein, though not duly appointed to the Church, the congregation being what is termed a " vacant congregation."

McRae v. McLeod, 255.

2. Observations on the meaning of " the practice of the church," and the " constitution of the congregation" mentioned in the 2nd section of the Act. *Ib.*

3. *Scemle*, that immediately upon the consummation of the Act of Union, the congregational property of the various churches composing the union became subject to the jurisdiction of the united body, and that the right of dissentients was merely one of withdrawing the property from the union in the manner indicated in the Act. *Ib.*

4. In pursuance of notices duly given from the pulpit by the officiating clergyman, a member of the United Presbyterian body and belonging to the presbytery, a meeting of the congregation