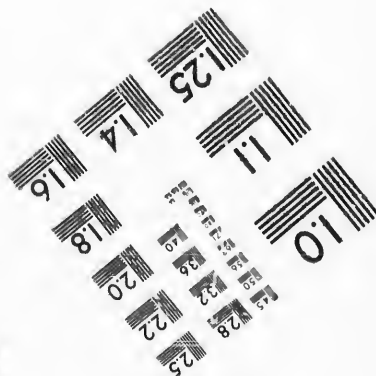
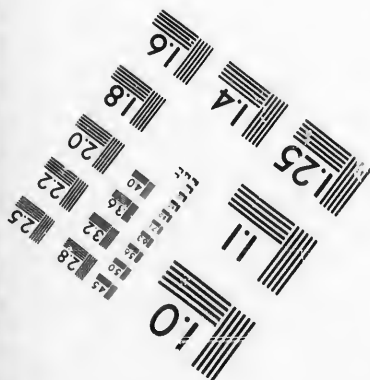
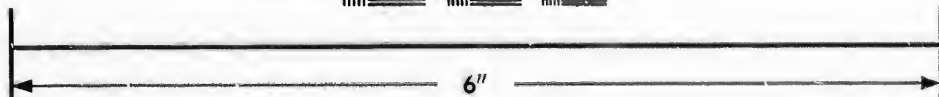
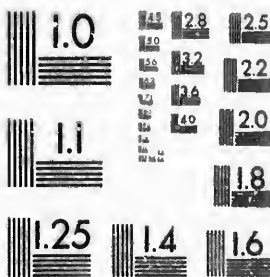


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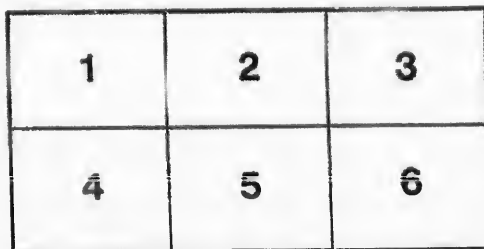
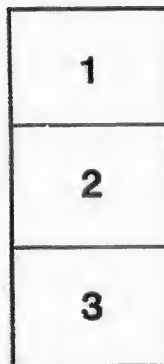
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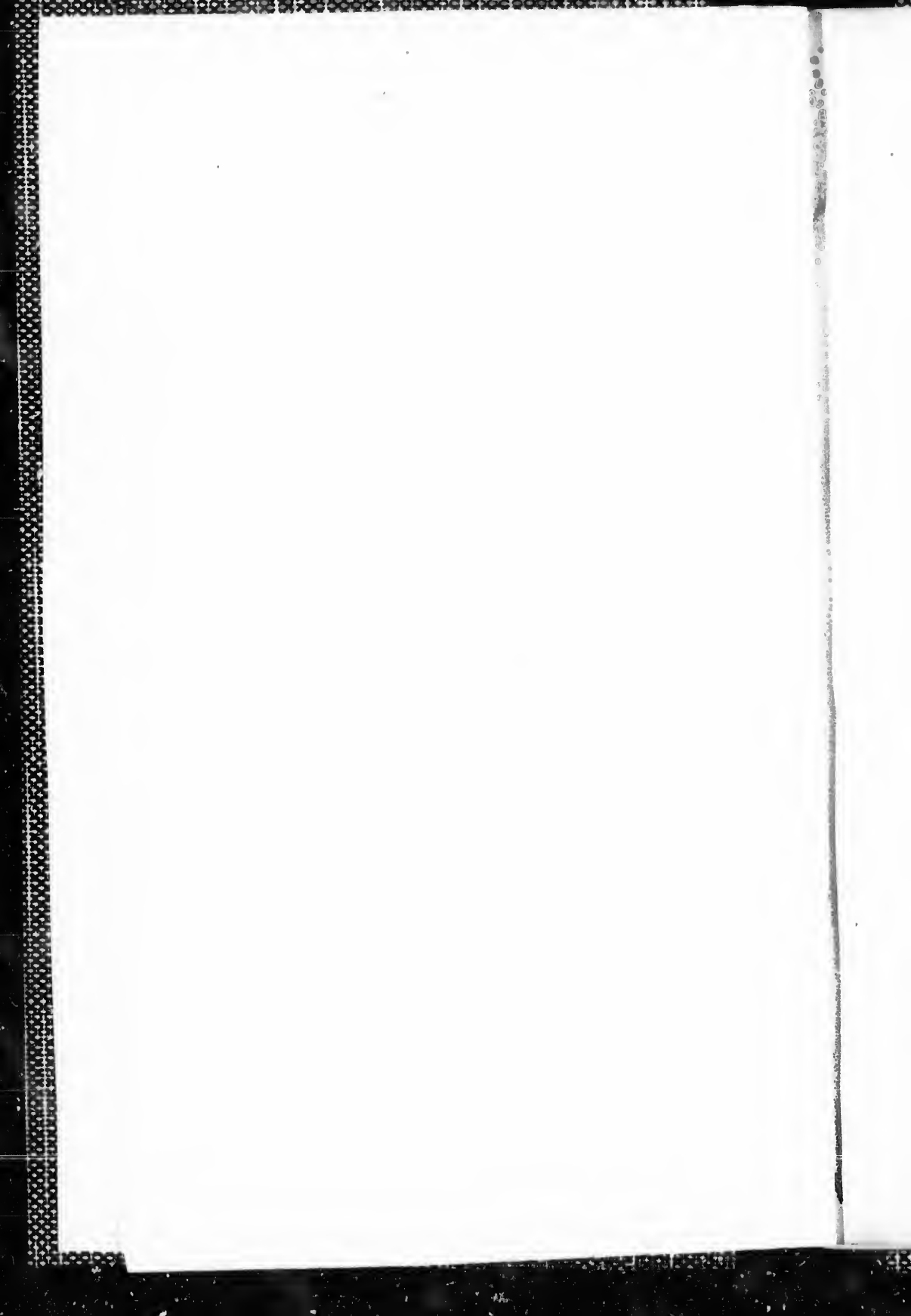
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DIRECTIONS,
AND
FORMS FOR DEEDS,

TO BE TAKEN UNDER THE

Church Temporalities Act,

3RD VIC. CH. 74.

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TRUSTS

AUTHORIZED BY THE CHURCH TEMPORALITIES ACT.

The Church Temporalities Act (Statutes of Upper Canada, *3 Vic. ch. 74.) in its 16th Section, makes valid any deed, or conveyance of land, or of personalty that may be made to any Bishop of the United Church of England and Ireland in Upper Canada, and to his Successors, for any of the following purposes:—

1st. For the endowment of his See.

2nd. For the general uses of the Church in Upper Canada, as the Bishop to whom the deed shall be given, and his Successors may appoint; or as may be appointed otherwise in the deed, (that is, for the general uses of the Church in Upper Canada,) to be applied under such particular direction as may be given in the deed, and not in the general discretion of the Bishop.

3rd. For the use of any particular Church (in Upper Canada,) erected at the time of the deed being made, —and this, it is conceived, may by reasonable and proper construction be divided, as the preceding head, into two; namely, to be applied towards the support of that Church in such manner as the Bishop to whom the deed shall be given may direct; or to be applied towards the support of such Church otherwise than at the discretion of the Bishop, and under such particular direction as may be inserted in the deed.

* The Statute is here referred to as a Statute of 3 Vic. Chap. 74, because it is numbered with the Statutes of the Session in that year; but it is truly referred to in the Deed, as passed in the 5th Vic., in which year it received the Royal Assent.

- 4th. For the use of any particular Church to be *afterwards erected* in Upper Canada, to be applied towards the support of such Church, as the Bishop to whom the deed shall be given and his Successors may direct; or to be applied towards the support of such Church otherwise than at the discretion of the Bishop, and under such particular direction as may be inserted in the deed.
- 5th. For the endowment of a parsonage, rectory, or living, to be applied (as it is conceived) to that object, under the direction of the Bishop, unless other provision for the appropriation of the rents and profits shall be made in the deed.
- 6th. For other uses or purposes appurtenant to the Church in Upper Canada; that is for some specified use or purpose, or uses or purposes pertaining to the Church generally,—the proceeds to be applied in promoting that object, in the discretion of the Bishop, unless other provision shall be made in the deed.
- 7th. For other uses or purposes appurtenant to any particular Church (in Upper Canada,) to be named in such deed; that is, for some specified use or purpose, or uses or purposes pertaining to such particular Church,—the proceeds to be applied in promoting such uses or purposes, according to the discretion of the Bishop, to whom the conveyance shall be made, unless other provision shall be made in the deed.
- 8th. For some use or purpose appurtenant to some particular parish (in Upper Canada,) which use or purpose should be specified in the deed, and should be some use or purpose connected with the Church in that parish,—the rents and profits to be applied in promoting such use or purpose in such manner as the Bishop to whom the deed is to be made shall appoint, unless other provision shall be made in the deed.

The same Act, 3 Vic. ch. 74, in the same Section, makes valid any deed or conveyance of land, or of personalty, that may be made to any Parson or Rector, or other Incumbent, and his successors,—

1st. For the endowment of such Parsonage, Rectory, or Living.

2nd. For other uses or purposes appurtenant to such Parsonage, Rectory, or Living, (which uses or purposes are to be expressed in the deed, or may be left to the discretion of the Incumbent, or left to be pointed out and promoted through the agency of some third party, as may be directed in the deed.)

FORMS OF CONVEYANCES to be made to the Bishop, or to the Rector or other Incumbent of any Church or living, are subjoined,—and also,

FORMS OF TRUSTS to meet the several objects specified in this minute, and marked with corresponding numbers.

**FORM OF CONVEYANCE TO THE BISHOP,
WITH BAR OF DOWER.**

This Indenture, made the.....day
of.....in the year of our Lord
one thousand eight hundred and.....
Between.....of the.....
of.....in the.....District
in the Province of Canada,.....
and.....his wife, of the one part;
And the Right Reverend John, Lord Bishop of Toronto,
in the said Province of Canada, of the other part :
Whereas the said.....
is desirous of conveying the Parcel or Tract of Land and

Premises hereinafter particularly described, to the said John, Lord Bishop of Toronto, and to his Successors, to the uses and upon the trusts hereinafter declared, according to the provisions of an Act of the Parliament of the Province of Upper Canada, passed in the fifth year of the reign of Her Majesty Queen Victoria, intituled, "An Act to make provision for the management of the Temporalities of the United Church of England and Ireiland in this Province, and for other purposes therein mentioned."

Now this Indenture witnesseth, that the said.....for the purpose aforesaid, hath given, granted, and conveyed, and by these presents doth give, grant, and convey unto the said John, Lord Bishop of Toronto, and to his Successors, for ever, all and singular that certain Parcel or Tract of Land and Premises situate and being in the Town..... of.....in the County of..... in the District of.....in the said Province of Canada, containing..... be the same more or less, and being composed of..... which said Parcel or Tract of Land is bounded and described as follows, that is to say:..... subject to the reservations and conditions expressed in the original grant of the said Land from the Crown.

Together with all and singular the appurtenances to the said Parcel or Tract of Land belonging: To have and to hold the said Parcel or Tract of Land and Premises, with their appurtenances, unto the said John, Lord Bishop of Toronto, and his Successors, for ever, to the uses and upon the trusts following, that is to say:

[Here insert the Trusts.]

.....
.....

And the said.....doth hereby for himself, his Heirs, Executors and Administrators, covenant with the said John, Lord Bishop of Toronto, and his Successors, that the said.....and every person rightfully claiming, or to claim, any interest at law or in equity in the said Premises, or any part thereof, under or in trust for him or his Heirs, shall at all times hereafter, on every reasonable request, and at the sole expense in all things of the said John, Lord Bishop of Toronto, or his Successors, make and do, or cause to be made and done, all such further acts and assurances in the law, for more fully and satisfactorily assuring the said premises, with the tenancies, to the said John, Lord Bishop of Toronto, his Successors, in manner aforesaid, and according to the intent of these presents, as by him, or them or their Counsel in the Law, shall be lawfully and lawfully advised and required.

And this Indenture further witnesseth, that the said.....with the approbation and consent of her said husband, in consideration of the premises, and in further consideration of the sum of..... of lawful money of Canada, to her by the said John, Lord Bishop of Toronto, in hand paid, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath remised and released, and by these presents doth remise and release, unto the said John, Lord Bishop of Toronto, and his Successors, all Dowry, and right and title to Dowry, which she, the said.....now hath, or in the event of her surviving her said husband, can or may have, or claim, either at Common Law or otherwise howsoever, of, in, to, or out of the Lands, Tenements, Hereditaments, and Premises hereby conveyed.

In witness whereof, the parties to these presents have hereunto set their hands and seals, the day and year first above written.

Signed, Sealed and Delivered,
in the presence of[L. S.]
.....[L. S.]
.....[L. S.]

FORM OF THE MEMORIAL,
WITH BAR OF DOWER.

A Memorial, to be registered pursuant to the Statute in such case made and provided, of an INDENTURE made the.....day of..... in the year of our Lord one thousand eight hundred and between..... of the..... of..... in the District..... in the Province of Canada..... and..... his Wife, of the one part; and the Right Reverend John, Lord Bishop of Toronto, in the said Province of Canada, of the other part: WHEREBY the said..... according to the provisions of an Act of the Parliament of the Province of Upper Canada, passed in the Fifth Year of the Reign of Her Majesty Queen Victoria, intituled "An Act to make provision for the management of the Temporalties of the United Church of England and Ireland in this Province, and for other purposes therein mentioned" did give, grant, and convey unto the said John, Lord Bishop of Toronto, and to his Successors for ever, all and singular that certain parcel or tract of Land and Premises, situate and being in the.....

TO HAVE AND TO HOLD the said parcel or tract of Land and Premises, with their Appurtenances, unto the said John, Lord Bishop of Toronto, and his Successors for ever, to the uses and upon the trusts following, that is to say:.....

[Here insert the Trusts.]

AND by the same Indenture it is witnessed that the saidthe Wife of the saidin consideration of the premises, and in further consideration of the sum ofof lawful money of Canada to her by the said..... in hand paid, hath remised, released, and for ever relinquished her Dower in the said Premises unto him the said John, Lord Bishop of Toronto, and to his Successors for ever; which said Indenture is witnessed by..... of theof..... in the..... District..... and.....

And this MEMORIAL thereof is hereby required to be registered by.....the said Grant.....therein named.

WITNESS.....hand...and seal...the..... day of.....in the year of our Lord one thousand eight hundred and.....

SIGNED AND SEALED IN THE

PRESENCE OF

.....[L. S.]
.....[L. S.]
.....[L. S.]

FORM OF CONVEYANCE TO THE BISHOP,
WITHOUT BAR OF DOWER.

This Indenture, made the.....day
of.....in the year of our Lord
one thousand eight hundred and.....
Between.....of the.....
of.....in the.....District
.....in the Province of Canada,.....
of the one part; **And** the Right Reverend John, Lord
Bishop of Toronto, in the said Province of Canada, of
the other part: **Whereas** the said.....
is desirous of conveying the Parcel or Tract of Land and
Premises hereinafter particularly described, to the said
John, Lord Bishop of Toronto, and to his Successors, to
the uses and upon the trusts hereinafter declared, accord-
ing to the provisions of an Act of the Parliament of the
Province of Upper Canada, passed in the fifth year of the
reign of Her Majesty Queen Victoria, intituled, "An
Act to make provision for the management of the Tem-
poralities of the United Church of England and Ireland, in
this Province, and for other purposes therein mentioned."

Now this Indenture witnesseth, that the
said.....for the purpose aforesaid,
hath given, granted, and conveyed, and by these presents
doth give, grant, and convey unto the said John, Lord
Bishop of Toronto, and to his Successors, for ever, all
and singular that certain Parcel or Tract of Land and
Premises situate and being in the Town.....of
.....in the County of.....
in the District of.....in the said Province
of Canada, containing.....be the same
more or less, and being composed of.....
.....
which said Parcel or Tract of Land is bounded and
described as follows, that is to say:.....
.....



subject to the reservations and conditions expressed in the original grant of the said Land from the Crown.

Together with all and singular the appurtenances to the said Parcel or Tract of Land belonging: **To have and to hold** the said Parcel or Tract of Land and Premises, with their appurtenances, unto the said John, Lord Bishop of Toronto, and his Successors, for ever, to the uses and upon the trusts following, that is to say:.....

[Here insert the Trusts.]

.....
And the said.....doth hereby for himself, his Heirs, Executors and Administrators, covenant with the said John, Lord Bishop of Toronto, and his Successors, that the said.....
.....and every person rightfully claiming, or to claim, any interest at law or in equity in the said Premises, or any part thereof, under or in trust for him or his Heirs, shall at all times hereafter, on every reasonable request, and at the sole expense in all things of the said John, Lord Bishop of Toronto, or his Successors, make and do, or cause to be made and done, all such further acts and assurances in the law, for more fully and satisfactorily assuring the said premises, with the appurtenances, to the said John, Lord Bishop of Toronto, and his Successors, in manner aforesaid, and according to the intent of these presents, as by him, or them, or his or their Counsel in the Law, shall be lawfully and reasonably advised and required.

In witness whereof, the parties to these presents have hereunto set their hands and seals, the day and year first above written.

Signed, Sealed and Delivered,
in the presence of [L. S.]
..... [L. S.]
.....

FORM OF THE MEMORIAL,
WITHOUT BAR OF DOWER.

A Memorial, to be registered pursuant to the Statute in such case made and provided, of an **INDENTURE** made the.....day of.....in the year of our Lord one thousand eight hundred and between..... of the..... of..... in the Province of Canada..... District..... in the and the Right Reverend John, Lord Bishop of Toronto, in the said Province of Canada, of the other part: **WHEREBY** the said..... according to the provisions of an Act of the Parliament of the Province of Upper Canada, passed in the Fifth Year of the Reign of Her Majesty Queen Victoria, intituled "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" did give, grant, and convey unto the said John, Lord Bishop of Toronto, and to his Successors for ever, all and singular that certain parcel or tract of Land and Premises, situate and being in the.....

TO HAVE AND TO HOLD the said parcel or tract of Land and Premises, with their appurtenances, unto the said John, Lord Bishop of Toronto, and his Successors for ever, to the uses and upon the trusts following, that is to say:.....

[Here insert the Trusts.]

Which said Indenture is witnessed by..... of the..... of..... in the..... District..... and.....

And this MEMORIAL thereof is hereby required to be registered by.....the said Grant.....therein named.

WITNESS.....hand...and seal...the..... day of.....in the year of our Lord one thousand eight hundred and.....

SIGNED AND SEALED IN THE

PRESENCE OF[L. S.]

.....[L. S.]

.....

FORM OF THE AFFIDAVIT

TO BE ENDORSED ON EACH MEMORIAL.

.....District, }of
TO WIT. }in the said

.....District.....in the within Memorial named, maketh oath and saith that he was present, and did see the Indenture to which the said Memorial relates duly executed, signed, sealed, and delivered by the therein named..... and that he is a subscribing Witness to the execution of the said Indenture;—that he, this Deponent, also saw the said Memorial duly signed and sealed by the therein named.....for Registry thereof. Which said Memorial was attested by him, this Deponent, and another subscribing Witness, and that both said Instruments were executed in the County of.....

Sworn before me at.....in the }
said.....District..... }
this.....day of.....184... }

.....
A Commissioner in B. R. &c.
in and for the.....District.



PROPOSED FORMS OF TRUSTS,

To be inserted in Conveyances of Lands to the Bishop of Toronto and his Successors, to the use of the Church of England, made in accordance with the Church Temporalities Act, (Statute of Upper Canada, 3 Vic. ch. 74, Sec. 16.)

[NOTE.—The following Forms are intended to suit respectively some one of the purposes expressly authorised by the 16th Section of the Statute. But where the donor desires to convey land “to the general uses of the Church,” or “for the use of any particular Church erected, or to be erected,” if, instead of leaving the proceeds of the estate to be applied “as the Bishop may appoint,” it shall be his wish to provide some other mode of appropriation, the Statute gives him the power of doing so; and he must be careful in that case to insert in the deed, such a provision as will precisely and effectually meet his object.

So also, where the donor desires to convey land “for some specific use appurtenant to the Church in general, or to any particular Church or Parish,” the Statute allows him to do so; but he must be careful to specify the particular use or purpose in the deed, in such terms as will express his object clearly and precisely; and in deeds of this latter description, he has in like manner the option of leaving the proceeds of the estate to be applied to the specific use “in such manner as the Bishop of the Diocese may appoint,” or to make some other provision in regard to the mode of appropriation, in which case also great care must be taken so to express the direction in the deed, as to leave no ground for doubt or controversy hereafter.

As these specific uses, and specific modes of appropriation, depend entirely on the will of the donors, no forms can be given for them; but it is earnestly recommended that whenever the donor may desire to point out some specific use or some specific mode of appropriation, in pre-

ference to adopting any of the forms which have been framed to meet the general purposes of the Act, he should be careful to see that the use is one which the Statute clearly authorises, and that it is declared in such terms as shall leave no room for doubt or uncertainty either as to the purpose intended, or the mode of applying the funds.

In deeds which are to contain such specific directions in regard to the mode of applying the proceeds, the forms hereafter given may be followed as far as the (*) asterisk.]

No. 1.

Upon trust to hold the same for ever hereafter for the endowment of the said See, or Bishoprick of Toronto, and for no other use or purpose whatsoever.

No. 2.

Upon trust to hold the same for ever hereafter, to and for the general uses of the United Church of England and Ireland, within that part of the Province of Canada which formerly composed the Province of Upper Canada; to the intent and upon the trust that the rents, issues and profits thereof, may be appropriated and applied to the general uses of the said Church * in such manner as the said John, Lord Bishop of Toronto, and his Successors, shall from time to time appoint.

(See the note at the head of these forms.)

No. 3.

Upon trust to hold the same for ever hereafter, for the use of that certain Church of the United Church of England and Ireland situated in the Township of..... in the District of.....within the said Diocese of Toronto, called.....Church, [or if the Church cannot be otherwise distinctly and accurately ascribed, insert after the words "Diocese of Toronto"]—"which hath been erected upon Lot number....." "in the.....Concession of the said Township,"

to the intent and upon the trust that the rents, issues, and profits of the said land and premises may be appropriated and applied to the use of the said Church* in such manner as the said John, Lord Bishop of Toronto, and his Successors, shall from time to time appoint.

(See the note at the head of these forms.)

No. 4.

Upon trust to hold the same for ever hereafter, for the use of a Church of the United Church of England and Ireland, to be hereafter erected upon Lot number..... in the.....Concession of the Township ofin the District of... within the said Diocese of Toronto; [*adding any more particular description that can be given*] to the intent and upon the trust that the rents, issues and profits thereof, may be appropriated and applied to the use of such Church,* in such manner as the said John, Lord Bishop of Toronto, and his Successors, shall from time to time appoint.

(See the note at the head of these forms.)

No. 5.

Upon trust to hold the same for ever hereafter, for the endowment of the Parsonage [*Rectory or Living, as the case may be*] in the Township of..... in the said District of.....within the said Diocese of Toronto; [*describing the same either by its name or boundaries, in such manner as may sufficiently and accurately distinguish it*] to the intent and upon the trust that the rents, issues and profits of the said land and premises shall be from time to time appropriated and applied,* under the direction of the said John, Lord Bishop of Toronto, and his Successors, to the support of the Incumbent of the said Parsonage. [*Rectory or Living, as the case may be*] for the time being.

(See the note at the head of these forms.)

No. 6.

Upon trust to hold the same for ever hereafter, for the use of the United Church of England and Ireland, within that part of the Province of Canada which formerly composed the Province of Upper Canada; and to the intent and upon the trust that the rents, issues and profits of the said land and premises shall be appropriated and applied from time to time, towards defraying the charge of.....
*[here specify the particular object connected with the Church in Upper Canada generally, for which the donor wishes to provide]** in such manner as the said John, Lord Bishop of Toronto, or his Successors, shall from time to time appoint.

(See the note at the head of these forms.)

No. 7.

Upon trust to hold the same for ever hereafter, for the use and benefit of that certain Church of the United Church of England and Ireland, situate in the Township of.....in the District of..... within the Diocese of Toronto, called..... Church, *[if it can be so described]* situated upon Lot number.....in the.....Concession of the said Township; and to the intent and upon the trust that the rents, issues and profits of the said land and premises may be appropriated and applied from time to time towards defraying the charge of.....
*[here specify the particular object connected with the Church mentioned in the deed, for which the donor wishes to provide]** in such manner as the said John, Lord Bishop of Toronto, or his Successors, shall from time to time appoint.

(See the note at the head of these forms.)

No. 8.

Upon trust to hold the same for ever hereafter, for the use of the Parish of.....in the Township of.....in the District of.....

within the said Diocese of Toronto; to the intent and upon the trust that the rents, issues and profits of the said land and premises may be appropriated and applied from time to time towards defraying the charge of[*here specify the particular object connected with the Church in the parish mentioned in the deed, for which the donor wishes to provide*]* in such manner as the said John, Lord Bishop of Toronto, and his Successors, shall from time to time appoint.
(See the note at the head of these forms.)

FORM OF CONVEYANCE TO A RECTOR OR
INCUMBENT OF A LIVING,
WITH BAR OF DOWER.

This Indenture, made the.....day
of.....in the year of our Lord
one thousand eight hundred and.....
Between.....of the Township
of.....in the District of.....
in the Province of Canada,.....
and.....his wife, of the one part;
And the Reverend.....
of the Township of.....in the District
of.....in the said Province, Clerk Rector
of the Rectory of.....in the said Township,
and within the Diocese of Toronto, in the said Province
of Canada, of the other part: [*describing the Rectory care-
fully in accordance with the Patent constituting the Rectory ;
or, where the Church is not the Church of a Rectory or Pa-
rish, say—a Clergyman in holy orders of the United Church
of England and Ireland, serving and doing duty in the Church
called.....(where the Church can be
described by a particular name) situated upon Lot number
.....in the.....Concession of the*

Township of.....in the said District
of.....within the Diocese of Toronto.]

Whereas the said.....
is desirous of conveying the Parcel or Tract of Land and
Premises hereinafter particularly described, to the said
.....and to his Successors in
the said Rectory. [Church, Mission, or Living] to the
uses, and upon the trusts hereinafter declared, according
to the provisions of the Act of the Parliament of the Pro-
vince of Upper Canada passed in the fifth year of the
reign of Her Majesty Queen Victoria, intituled "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."

Now this Indenture witnesseth, that the
said.....for the purpose
aforesaid, hath given, granted, and conveyed, and by
these presents doth give, grant, and convey unto the said
.....Rector of the said
Rectory of.....[describing it in full as
before]; or if it be not a Rectory, (serving and doing duty
as aforesaid in the Church called.....
situated upon Lot number.....in the.....
Concession of the Township of.....
in the said District of.....within the
Diocese of Toronto, and to his Successors for ever, being
Incumbents of the said Rectory, (or if it be not a Rectory)
of the said Church, Mission, or Living, and in full com-
munion with the United Church of England and Ireland,
and serving therein in accordance with the doctrines and
discipline of the said United Church of England and
Ireland) all and singular that certain parcel or tract of
land and premises situate and being in the Township
of.....in the County of.....
in the District of.....in the said Province
of Canada, containing.....

be the same more or less, and being composed of Lot number.....in the.....Concession of the said Township of.....which said parcel or tract of land is bounded and described as follows, that is to say : subject to the reservations and conditions expressed in the original grant of the said Land from the Crown.

Together with all and singular the appurtenances to the said Parcel or Tract of Land belonging: **T**o have and to hold the said Parcel or Tract of Land and Premises, with their appurtenances, unto the said..... Rector of the said Rectory of..... [*describing it in full as before*]**—**or, if it be not a Rectory, (serving and doing duty as aforesaid in the Church calledsituated upon Lot number..... in the.....Concession of the Township ofin the said District of..... within the Diocese of Toronto, and to his Successors forever, Incumbents of the said Rectory, (or if it be not a Rectory) of the said Church, Mission, or Living, being in full communion with the United Church of England and Ireland, and serving therein in accordance with the doctrines and discipline of the said United Church of England and Ireland,) to the uses and upon the trusts following, that is to say :

[*Here insert the Trusts.*]

.....
And the said.....doth hereby for himself, his Heirs, Executors and Administrators, covenant with the said..... and his Successors, that the said..... and every person rightfully claiming, or to claim, any interest at law or in equity in the said premises, or any part thereof, under or in trust for him or his heirs, shall

at all times hereafter, on every reasonable request, and at the sole expence in all things of the said..... or his Successors, make and do, or cause to be made and done, all such further acts and assurances in the law for more fully and satisfactorily assuring the said premises, with the appurtenances, to the said..... and his Successors, in manner aforesaid, and according to the intent of these Presents, as by him or them, or his or their Counsel in the law, shall be lawfully and reasonably advised and required.

And this Indenture further witnesseth, that the said..... with the approbation and consent of her said husband, in consideration of the premises, and in further consideration of the sum of..... of lawful money of Canada, to her by the said..... in hand paid, at or before the sealing and delivery of these Presents, the receipt whereof is hereby acknowledged, hath remised and released, and by these presents doth remise and release, unto the said..... and his Successors, as aforesaid, all Dower, and right and title to Dower, which she, the said..... now hath, or in the event of her surviving her said husband can or may have or claim, either at common law or otherwise howsoever, of, in, to, or out of the lands, tenements, hereditaments and premises hereby conveyed.

In witness whereof, the parties to these presents have hereunto set their hands and seals, the day and year first above written.

Signed, Sealed and Delivered,

in the presence of

..... [L. S.]

..... [L. S.]

..... [L. S.]

FORM OF CONVEYANCE TO A RECTOR OR
INCUMBENT OF A LIVING,
WITHOUT BAR OF DOWER.

This Indenture, made the.....day
of.....in the year of our Lord
one thousand eight hundred and.....
Between.....of the Township
of.....in the District of.....
in the Province of Canada,.....of the one part :
And the Reverend.....of the
Township of.....in the District of.....
in t^e said Province, Clerk, Rector of the Rectory of
.....in the said Township, and within
the Diocese of Toronto, in the said Province of Canada,
of the other part: [*describing the Rectory carefully in ac-
cordance with the Patent constituting the Rectory; or, where
the Church is not the Church of a Rectory or Parish, say—
a Clergyman in holy orders of the United Church of England
and Ireland, serving and doing duty in the Church called
.....(where the Church can be described
by a particular name) situated upon Lot num.^{ber}.....
in the.....Concession of the Township of
.....in the said District of.....
within the Diocese of Toronto.*]

Whereas the said.....
is desirous of conveying the Parcel or Tract of Land
and premises hereinafter particularly described, to the
said.....and to his Successors
in the said Rectory, [*Church, Mission, or Living*] to the
uses, and upon the trusts hereinafter declared, according
to the provisions of the Act of the Parliament of the Pro-
vinces of Upper Canada passed in the fifth year of the
reign of Her Majesty Queen Victoria, intituled, "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."

Now this Indenture witnesseth, that the said.....for the purpose aforesaid, HATH given, granted and conveyed, and by these presents both give, grant and convey unto the said Rector of the said Rectory of.....[describing it in full as before] or if it be not a Rectory, (serving and doing duty as aforesaid in the Church called..... situated upon Lot number.....in the..... Concession of the Township of.....in the said District of.....within the Diocese of Toronto, and to his Successors, for ever, being Incumbents of the said Rectory, (or if it be not a Rectory) of the said Church, Mission, or Living, and in full communion with the United Church of England and Ireland, and serving therein in accordance with the doctrines and discipline of the said United Church of England and Ireland—all and singular that certain parcel or tract of land and premises situate and being in the Township of.....in the County of.....in the District of.....in the said Province of Canada, containing.....be the same more or less, and being composed of Lot number.....in the.....Concession of the said Township of.....which said Parcel or Tract of Land is bounded and described as follows, that is to say:subject to the reservations and conditions expressed in the original grant of the said Land from the Crown.

Together with all and singular the appurtenances to the said Parcel or Tract of Land belonging: To have and to hold the said Parcel or Tract of Land and Premises, with their appurtenances, unto the said..... Rector of the said Rectory of..... [describing it in full as before]—or, if it be not a Rectory, (serving and doing duty as aforesaid in the Church called..... situated upon Lot number.....

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in the.....Concession of the Township of
.....in the said District of.....
within the Diocese of Toronto, and to his Successors, for
ever, Incumbents of the said Rectory, (or if it be not a
Rectory) of the said Church, Mission, or Living, being
in full communion with the United Church of England
and Ireland, and serving therein in accordance with the
doctrines and discipline of the said United Church of
England and Ireland) to the uses and upon the trusts
following, that is to say:.....

[Here insert the Trusts.]

.....
And the said.....doth
hereby for himself, his Heirs, Executors and Administra-
tors, covenant with the said.....and his
Successors, as aforesaid, that he, the said.....
and every person rightfully claiming, or to claim, any
interest at law or in equity in the said premises, or any
part thereof, under or in trust for him or his heirs, shall
at all times hereafter, on every reasonable request, and at
the sole expence in all things of the said.....
or his Successors, make and do, or cause to be made and
done, all such further acts and assurances in the law for
more fully and satisfactorily assuring the said premises,
with the appurtenances, to the said.....
and his Successors, in manner aforesaid, and according
to the intent of these presents, as by him or them, or his
or their Counsel in the law, shall be lawfully and reason-
ably advised and required.

In witness whereof, the parties to these presents
have hereunto set their hands and seals, the day and year
first above written.

Signed, Sealed and Delivered,

in the presence of

..... [L. S.]
..... [L. S.]

.....
.....

**MEMORIAL TO ACCOMPANY THE FORM OF
CONVEYANCE TO A RECTOR OR INCUMBENT.
WITH BAR OF DOWER.**

A Memorial, to be registered pursuant to the Statute in such case made and provided, of an **INDENTURE** made the.....day of.....in the year of our Lord one thousand eight hundred andbetweenof the.....ofin theDistrict.....in the Province of Canada.....and.....his wife, of the one part; and the Reverend.....of the Township of.....in the District of.....in the said Province, Clerk, Rector of the Rectory of.....in the said Township, and within the Diocese of Toronto, in the said Province of Canada, of the other part: **WHEREBY** the said.....according to the provisions of an Act of the Parliament of the Province of Upper Canada, passed in the fifth year of the reign of Her Majesty Queen Victoria, intituled, "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," did give, grant, and convey unto the saidand to his Successors for ever, all and singular that certain parcel or tract of Land and Premises, situate and being in the.....

TO HAVE AND TO HOLD the said parcel or tract of Land and Premises, with their appurtenances, unto the saidand his Successors, for ever, to the uses and upon the trusts following, that is to say.....

[Here insert the Trusts.]

AND by the same Indenture it is witnessed that the said
the Wife of the said
in consideration of
 the premises, and in further consideration of the sum of
of lawful money of
 Canada, to her by the said.....
 in hand paid, hath remised, released, and for ever relin-
 quished her DOWER in the said Premises unto him the
 said.....and to his Successors
 for ever; which said Indenture is witnessed by.....
of the.....of.....
 in the.....District.....
 and.....

And this MEMORIAL thereof is hereby required to be
 registered by.....the said Grant.....therein named.

WITNESS.....hand...and seal...the.....
 day of.....in the year of our Lord one
 thousand eight hundred and.....

SIGNED AND SEALED IN THE
 PRESENCE OF[L. S.]



THE SAME, WITHOUT BAR OF DOWER.

A Memorial, to be registered pursuant to the
 Statute in such case made and provided, of an INDENTURE
 made the.....day of.....
 in the year of our Lord one thousand eight hundred and
 between.....
 of the..... of..... in the
District..... in the
 Province of Canada.....and
 the Reverend.....
 of the Township of..... in the District

of.....in the said Province, Clerk Rector
of the Rectory of.....in the said
Township, and within the Diocese of Toronto, in the
said Province of Canada, of the other part: WHEREBY
the said.....according to the provisions
of an Act of the Parliament of the Province of Upper
Canada, passed in the Fifth Year of the Reign of Her
Majesty Queen Victoria, intituled "An Act to make pro-
vision for the management of the Temporalities of the
United Church of England and Ireland in this Province,
and for other purposes therein mentioned" did give, grant,
and convey unto the said.....
and to his Successors for ever, all and singular that certain
parcel or tract of Land and Premises, situate and being in
the.....

To HAVE AND TO HOLD the said parcel or tract of Land
and Premises, with their appurtenances, unto the said
.....and his Successors for
ever, to the uses and upon the trusts following, that is to
say:.....

[Here insert the Trusts.]

Which said Indenture is witnessed by.....
.....of the.....of.....
in the.....District.....
and.....

And this MEMORIAL thereof is hereby required to be
registered by.....the said Grant.....therein named.

WITNESS.....hand...and seal...the.....
day of.....in the year of our Lord one
thousand eight hundred and.....

SIGNED AND SEALED IN THE
PRESENCE OF

.....[L. S.]

.....
.....

FORM OF THE AFFIDAVIT
TO BE ENDORSED ON EACH MEMORIAL.
 (See page 13.)

~~~~~  
**PROPOSED FORMS OF TRUSTS,**

To be inserted in Conveyances of Lands made to any Parson, Rector, or other Incumbent, in accordance with the Church Temporalities Act, (Statutes of Upper Canada, 3 Vic. cap. 74, sect. 16.)

**No. 1.**

Upon trust to hold the same for ever hereafter, for the endowment of the said Rectory [*or Church, Mission, or Living, as the case may be*] hereinbefore mentioned and described, and for no other use or purpose whatsoever.

**No. 2.**

Upon trust to hold the same for ever hereafter, for the use and benefit of that certain [*Parsonage, Rectory, or Living, as the case may be,*] hereinbefore particularly mentioned and described, and to the intent and upon the trust that the rents, issues, and profits of the said land and premises, may be appropriated and applied, from time to time, towards defraying the charge of [*here specify the particular object connected with the particular Parsonage, Rectory, or Living, mentioned in the deed, for which the donor wishes to provide*] in such manner as may seem best to the said ..... and to his Successors, as aforesaid, for the time being.

[See Note at the head of the Forms of Trusts to be inserted in Deeds to the Bishop. The same caution will be necessary to be observed in specifying any particular object of appropriation in these Deeds to the Rector, &c.]

## CLAUSES XVI. AND XVII.

OF

*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.*

XVI. And be it further enacted by the authority aforesaid, That any deed or conveyance of land, or of personality, that may be made to any Bishop of the said Church, in the said Province, and to his Successors, for the endowment of his See, or for the general uses of the said Church, as such Bishop may appoint, or otherwise, or for the use of any particular Church then erected, or thereafter to be erected, or for the endowment of a Parsonage, Rectory, or Living, or for other uses or purposes appurtenant to such Church in general, or to any particular Church or Parish, to be named in such deed, and any such deed or conveyance, to any Parson, or Rector, or other Incumbent, and his Successors, for the endowment of such Parsonage, Rectory, or Living, or for other uses or purposes appurtenant thereto, shall be valid and effectual to the uses and purposes in such deed or conveyance to be mentioned and set forth, the Acts of Parliament commonly called the Statutes of Mortmain, or other Acts, Laws, or usages, to the contrary thereof notwithstanding: Provided always, that in order to the validity of such deeds and conveyances, the same shall be made and executed six months at the least before the death of the person conveying the same, and shall be registered not later than six months after his decease.

XVII. And be it further enacted by the authority aforesaid, That in the event of any person or persons, bodies politic or corporate, desiring to erect and found a Church or Churches, and to endow the same with a sufficiency for the maintenance of such Church and of Divine

Service therein, according to the rites of the said Church of England and Ireland, it shall and may be lawful for him, or them, to do so, upon procuring the License of the Bishop, under his hand and seal, for that purpose; and thereupon, after the erection of a suitable Church, and the appropriation by the founder thereof, of such Church so erected, and of lands and hereditaments, or other property, adequate to the maintenance thereof, and of an Incumbent, and adequate to the usual and ordinary charges attendant upon such Church, such provision being made to the satisfaction of the Bishop, such Founder, his Heirs and Assigns, being Members of the said Church of England, or such body politic or corporate, as the case may be, shall have the right of presentation to such Church, as an advowson in fee presentative, according to the Rules and Canons of the said United Church of England and Ireland.

