

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1851. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1851.

14 Victoria – Chapter 9 Private or Personal Acts

An Act to amend an Act relating to Churches erected or to be erected in this Province in connexion with the Established Church of Scotland. Passed 30th April 1851.

I. Be it enacted by the Lieutenant-Governor, Legislative Council and Assembly, That the fourth section of an Act made and passed in the second year of the reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Laws now in force relating to Saint Andrews Church in the City of Saint John*, and for incorporating certain persons, Pewholders of the said Church, and of the several Churches erected or to be erected in this Province in connexion with the Church of Scotland, be and the same is hereby repealed.

II. And be it enacted, That the owners or proprietors of pews and all male communicants of the full age of twenty one years, in the several Churches erected or to be erected in this Province in connexion with the Established Church of Scotland, shall on the first Wednesday in June, or within ten days thereafter, yearly and every year assemble and meet together at their respective Churches, and then and there by a plurality of voices of the said pewholders and male communicants aforesaid then present, between the hours of twelve and three o'clock in the afternoon, elect and choose any number not exceeding twelve persons nor less than five, being owners or proprietors of pews as aforesaid, to be Trustees for the purposes of the said Act to which this is an amendment, who shall thereupon enter into the execution of their office as such, and continue in the same one year and until other fit persons shall be chosen in their stead; provided always, that the ownership or proprietorship of a pew shall not entitle more than one person to vote at any such election.

III. And whereas there are now some Churches in connexion with the Established Church of Scotland in this Province that have no proprietary of pews; Be it enacted, That in all such cases, and in all others that may hereafter arise, it shall and may be lawful for all male communicants and regular sitters in any such Church or Churches to assemble at the time and in the manner aforesaid, and elect from among themselves Trustees as hereinbefore provided, who shall, when so elected, exercise and enjoy all the privileges and be subject to the provisions of this or any other Act of the Legislature of this Province made or to be made relating to the Churches aforesaid.

IV. And be it further enacted, That in all meetings of Trustees after the passing of this Act, on due notice being given or left at the usual place of business or residence of each Trustee, a majority of the members elected on the day of the annual election shall constitute a quorum for the transaction of business.

V. And be it enacted, That the Trustees of any Church elected as aforesaid, or the major part of them, after due notice being given, or left at the usual place of abode, of their election, by the Secretary of the meeting, and of the place and time of the first meeting of the Trustees so elected,

shall elect from among themselves a Chairman, who shall preside over the deliberations of all meetings of Trustees; provided always, that in case of absence of such Chairman, it shall be lawful for the Trustees then present to elect a Chairman for the time being to preside over the meeting.

VI. And be it enacted, That in case of refusal to act as a Trustee, or in case of the death or absence from the Province for four months of any Trustee or Trustees so elected as aforesaid, it shall be lawful for the remaining Trustees, or the major part of them, at any meeting regularly convened, to appoint from among those duly qualified under this Act, another or other Trustees, in the room and place of any Trustee or Trustees who may have so refused to act, died or been absent from the Province for four months, and this so often as the same shall happen; and any Trustee or Trustees so appointed shall continue in office until the next election, or until another or others is or are chosen in his or their stead.