

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1857. Toronto: Stewart Derbshire & George Desbarats, 1857.

20 Victoria – Chapter 191

**An Act to amend the Act incorporating the Minister and Trustees of St. Andrew's Church, Montreal. Assented to 27th May, 1857.**

Whereas it is expedient to amend the Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to incorporate the Minister and Trustees of St. Andrew's Church, Montreal*, and among other things to provide for the annual election of Trustees of the said Church, for which amendments the Minister and proprietors of the said Church have petitioned: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. On the twenty-fifth day of December next after the passing of this Act, all the Trustees of the property of the said St. Andrew's Church, save the Minister or Clergyman for the time being of the said Church, shall go out of office, and shall cease to be Trustees for any purpose whatsoever connected with the property or affairs of the said Church, but shall not, from the fact of having previously been Trustees, be disqualified from re-election, in the manner hereinafter mentioned, nor shall any Trustee who may be hereafter elected, from the fact of having been such Trustee, be disqualified from re-election, after his term of office shall have expired.

II. An annual general meeting of proprietors of pews in the said Church shall be held on the twenty-fifth day of the month of December in each year, save when it falls on a Sunday, in which case it shall be held on the Monday following, in the building now used by them for Divine Worship, in the City of Montreal, known as the St. Andrew's Church, at the hour of eleven, unless any other special time or place should be at any time appointed by the Trustees for that purpose, in which case such annual general meeting shall be held at such time and place as may, from time to time be so appointed for that purpose; and such annual general meeting shall be presided over in the manner directed by the seventh section of the Act above cited; and besides the powers of election hereinafter specified, such meeting shall and may exercise all the powers that proprietors could heretofore exercise, at any meeting held pursuant to the above cited Act, and shall be competent for the transaction of business generally.

III. Notwithstanding anything in the aforesaid Act contained, the number of Trustees for holding the property of the said Church and for the powers held by the present Trustees, shall be seven, including the Minister or Clergyman for the time being, who shall always be *ex officio* a Trustee, whereof four shall be a quorum for the transaction of all kinds of business, of which Trustees, the six, exclusive of the Clergyman, shall be elected at the first annual meeting which shall take place next after the passing of this Act.

IV. Of the six Trustees who shall be elected, at the first general annual meeting next after the passing of this Act, two shall be out of office in succession, each following year, at the time of the holding of the

annual general meeting, beginning with those of the six Trustees who shall have the smallest number of votes, and ending with the two who have had the largest number; and in case of any difference arising as to the rotation in which the said six Trustees, so to be first elected, shall go out of office, it shall be determined among themselves by vote, or in default thereof by the proprietors at the next annual general meeting; and after all the said six Trustees so to be first elected shall have gone out of office, those who shall be subsequently elected shall go out of office in rotation according to their seniority of election; and Trustees going out of office shall be replaced by Trustees elected at the meeting taking place at the respective times they shall so go out of office; and no instrument need be hereafter made or executed declaratory of any such election, nor need any enregistration thereof be made at the Prothonotary's office or elsewhere, save an entry thereof in the minutes of the meeting at which the election takes place, and such election shall be valid and effectual to all intents and purposes notwithstanding any thing contained in the ninth section of the above cited Act, or in any other Act or Law.

V. Should there be any failure to hold any such annual meeting, or should any vacancy occur previous to any of the annual general meetings, then Trustees maybe elected, or such vacancies filled up, either at the next annual general meeting, or by a meeting of proprietors to be called pursuant to the provisions of the seventh section of the Act above cited; and in ease of any failure to elect Trustees as hereinbefore directed, those who should have gone out of office but for such failure, shall remain in office, and be to all intents and purposes Trustees, until their successors shall have been elected.

VI. This Act shall be deemed a Public Act.