



ANNO DECIMO ET UNDECIMO
VICTORIÆ REGINÆ.

CAP. CIII.

An Act to incorporate the Managers of the Ministers' Widows' and Orphans' Fund of the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland.

[28th July, 1847.]

WHEREAS it hath been represented to the Legislature of this Province, that it is highly expedient and desirable that provision should be made for the establishment of a fund for the support of the Widows and Orphans of Ministers of the Presbyterian Church of Canada, in connection with the Church of Scotland; and whereas the due and proper collection, administration, investment, application, and management of such a fund will be best secured by the erection of a Corporation for that purpose, composed of members of the said Church: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the Reverend Alexander Mathieson, Doctor in Divinity, the Reverend John Cook, Doctor in Divinity, the Reverend Walter Roach, the Reverend Robert McGill, Alexander Simpson, Esquire, Hew Ramsay, Esquire, Thomas Wilson, Esquire, William Whiteford, Esquire, William Edmonstone, Esquire, Hugh Montgomery, Esquire, John Greenshields, Esquire, and Andrew Shaw, Esquire, and their successors, to be elected in the manner hereinafter provided, shall be, and they are hereby declared to be a Body Corporate and Politic in name and in deed, by the name of *The Managers of the Ministers' Widows' and Orphans' Fund of the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland*, and by that name shall have perpetual succession and a common seal, with power to change, alter, break, or make new the same as often as they shall judge expedient; and that they and their successors by the same name, may sue and be sued, implead and be impleaded, answer and be answered unto, in any Court of Record or place of Judicature in this Province; and that they and their successors, by the name aforesaid, shall be able and capable in law to purchase, take, have, hold, receive, enjoy, possess and retain, without license in mortmain, or *lettres d'amortissement*, all messuages, lands, tenements, and immoveable property, money, goods, chattels, and moveable property which have been, or hereafter shall be, paid, given, granted, purchased, appropriated, devised or bequeathed in any manner or way whatsoever to,

for,

Preamble.

Board of Managers incorporated.

Corporate Name and powers.

Corporate Powers.

Property.

for, and in favor of the said *The Managers of the Ministers' Widows' and Orphans' Fund of the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland*, to and for the use and purpose aforesaid, provided the same shall not exceed at any time in yearly value the sum of one thousand five hundred pounds currency.

Limitation of amount.

Members of the Corporation to retire in annual rotation, and how their places are to be supplied. Other Vacancies how filled.

II. And be it enacted, That one Minister and two Laymen shall retire from the said Corporation annually, in rotation, on the second day of the annual meeting of the said Synod, and their places shall be supplied by one Minister and two Laymen who shall be then and there chosen for that purpose by the said Synod, the retiring members being eligible for re-election; and whenever a vacancy shall occur by the death, removal, resignation or secession from the said Church of any member of the said Corporation, his place shall be supplied by a Minister or Layman as the case may be, chosen by the rest of the Members thereof, or the major part of them who shall be present at a general meeting duly convened for that purpose, (subject however to the approval of the said Synod at its then next meeting,) so that the said Corporation shall always consist of twelve Members, of whom four shall be Ministers and eight shall be Laymen, all being Members of the said Presbyterian Church of Canada in connection with the Church of Scotland.

Order of retirement prescribed.

III. And be it enacted, That the retirement of the first Members of the said Corporation shall take place in the inverse order to that in which they are named in this Act, so that the Minister and the two Laymen who are last above named shall be the first to retire, and the Minister and the two Laymen who are first above named shall be the last to retire; and when there shall no longer be one of the Ministers above named in the said Corporation who shall not have once retired in annual rotation, that Minister shall retire therefrom each year as above directed, who shall have been longest a Member thereof without having been re-elected; and in like manner, when there shall no longer be any of the Laymen above named in the said Corporation, who shall not have once retired in annual rotation, those two Laymen shall retire therefrom each year as above directed, who shall have been longest Members thereof without having been re-elected; and if it should happen that there should remain at last, from any cause, but one of the said Laymen above named who shall not have once retired in annual rotation, and two or more Laymen who shall have been longest Members without having been re-elected, shall have so been Members during an equal time, or if at any time, from any cause, it shall become a question which of two or more Lay Members of the said Corporation, having been equally long Members thereof, without having been re-elected, should retire therefrom in rotation, that one or those two of such Members shall so retire who shall have been elected at his or their last election by the fewest votes, in the said Synod.

Provision for a certain case.

First meeting for the election of officers.

IV. And be it enacted, That the said Reverend Alexander Mathieson may call a meeting of the Members of the said Corporation at such time within twelve months from the passing of this Act, and at such place as he may see fit to appoint, at which meeting the Members of the said Corporation, or the major part of such of them as shall be then and there present, shall choose from among the Members of the said Corporation, one Chairman, one Treasurer, and one Secretary, who shall hold their respective offices during the pleasure of the said Corporation, and whose places shall be filled by new elections from among the Members of the said Corporation, as often as occasion shall require.

V. And be it enacted, That the Members of the said Corporation, or the major part of such of them as shall be present at any General Meeting of the said Corporation duly convened, shall have power and authority to frame and make Statutes, By-laws, Rules and Orders, touching and concerning the good government of the said Corporation, and the income and property thereof, and the collection, administration, investment, application, and management of the fund aforesaid, and any other matter or thing which to them may seem fit or expedient for the effectual attainment of the objects of the said Corporation, and the administration of its concerns, and for fixing, ascertaining, and establishing the scale or rate of contribution to the said Fund by the Ministers or others entitled to contribute thereto under the provisions of this Act, and the scale or rate of annuities payable to the Widows and Orphans of such contributors; and also, from time to time, by such new Statutes, By-laws, Rules and Orders as to them shall seem meet, to alter or repeal those so made as aforesaid: Provided always, that no such Statutes, By-laws, Rules or Orders shall be repugnant to the Laws of this Province or to this Act.

Power to make By-Laws, &c. for certain purposes.

Proviso.

VI. And be it enacted, That the Professors of Queen's College, at Kingston, for the time being, whether Ministers or Laymen, shall, at all times, be entitled to the benefit of the said fund on the same terms and conditions as any Minister of the Synod of the said Presbyterian Church of Canada, in connection with the Church of Scotland.

Professors of Queen's College at Kingston to be treated as Ministers.

VII. And be it enacted, That it shall be the duty of the Officers and Members of the said Corporation for the time being, to prepare annually, and to cause to be laid before the said Synod at its yearly meeting, a full account of the receipts and disbursements of the said Corporation during the year next preceding such meeting.

Annual statement to be laid before Synod.

VIII. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and as such shall be judicially noticed by all Courts, Judges and Justices of the Peace, and by all others whom it may concern, without being specially pleaded.

Public Act.

MONTREAL :—Printed by STEWART DERBISHIRE & GEORGE DESBARATS,
Law Printer to the Queen's Most Excellent Majesty.