

one presented inducted or Appointed, and to him alone the Power therefore Vestries sometimes assume of withholding, or disposing of the 40 p poll otherwise than the Clause allows of under Pretence that an Appointment is not a valid Act, is to all Intents and purposes violent & illegal. For there is absolute a plenarty declared under an Appointment, for the Time being as under an Induction. Vestries by the Seventh Clause of this Act in Case of a Lay Reader, and by the Act of 1715. C. 24 in Case of a Lay Reader, and by the Act of 1715. C. 24 in Case of a vacancy, are directed To Receive a Part of or the whole 40 p poll.

But even then after a Church is erected or repaired, it is Ordered to be Laid out for the Benefit of Succeeding Ministers, and for theirs only in purchasing Improving or Stocking a Glebe, and hence Likewise appears the obligation of paying & Collecting the 40 p poll whether there be a Plenarty or Vacancy in the Parish.

Concerning the Words presented inducted, or appointed it Is observable that they are different Specific Modes of Admitting a Minister To officiate in a Parish, and to entitle him to the Proffits thereof Presented and Inducted are two Acts necessary to the Performance of one and the same Thing to Wit, giving a Parson full Possession of this Living. A Patron Presents, the Bishop or Ordinary institutes, and inducts.\* If the Bishop Be Patron he collates and inducts. Lord Baltimore Presents and inducts, Presentation and Collation being often in Law received as Synonymous terms. But after Presentation Institution or Collation, the Clerk is not Compleat Incumbent till after Induction, or what the Canon Law Calls Corporal Possession. For by this Power it is that he Becomes seized of the Temporalities of the Church, so as to have power to grant them, or sue for them, by this he is unexceptionably intituled to plead that he is *parson imparsoner* and by this also the Church is full not only against a Common Person (for so it is by Institution) but also against the King and by Consequence it is Compleatly full, and the Clerk is Compleat Incumbent or Possessor on which Account it is that it is compared in Law Books to Livery and Seizin, by which Possession is given to temporal Estates, Gibs. 814

But the Word appointed coupled by the Disjunctive or, is clearly of another or lesser Force. Less not in point of Present Possession but of duration which I shall demonstrate towards the Close of this Letter not only from its being used in sense different from, and in no Case implying, Institution & Induction, by all Writers upon the Ecclesiastical Law, but also

\* That is, issues a mandate of induction