

Proviso. in divinity and religious education, provided that the granting of degrees in course shall be subject to Canon No. X of the General Synod of the Church of England in Canada as long as the said Canon is in force and observed by all the other theological colleges having power to grant degrees in theology therein mentioned.

Coming into force. **2.** This act shall come into force on the day of its sanction.

## C H A P. 124

### An Act concerning the Natural History Society of Montreal

[Assented to, the 3rd of April, 1925]

Preamble. **W**HEREAS the Natural History Society of Montreal has, by its petition, represented that it was incorporated by act of the Parliament of Lower Canada, 2 William IV, chapter 65, which said charter of incorporation was subsequently amended by act of the Parliament of the late Province of Canada, 20 Victoria, chapter 118, and by act of the said Parliament of Canada, 25 Victoria, chapter 102, and by act of the Legislature of Quebec, 6 George V, chapter 95, for the purpose of promoting the study of natural history and general science and literature in the city and district of Montreal; that since its incorporation many other institutions, colleges, schools and seats of learning have been created and developed in the said city and district pursuing identical or similar lines of study and investigation, and have thereby rendered less necessary and useful the perpetuation of the petitioner as a separate society for the purposes mentioned; that in fact, of recent years, there has been a very serious falling off in the public interest in, patronage and support of said society, and in consequence its membership has been seriously reduced, that, therefore, said society for some years has been unable to raise sufficient monies to provide for its current necessities or for its maintenance and administration as a separate institution, and that it recently became involved in indebtedness for ordinary current expenses which it was unable to continue to meet; that said society has, however, been able to arrange with The Royal Institution for the Advancement of Learning (McGill University) that the said university will take over the property and assets of the said society, moveable and immoveable, real and personal, and that said university would assume and agree to pay and discharge the existing obligations of the said

society, not exceeding, as at the 31st of December, 1924, the sum of sixty-seven thousand dollars, which was the amount of said society's obligations as at that date; that the said proposed conveyance has been unanimously approved by the society's membership and by its executive officers; that the said conveyance was given effect to by a deed of sale and transfer passed before Henry Fry, notary, at the city of Montreal, on the 6th day of February, 1925; that in view of the said transfer and conveyance there is no further reason for the continued corporate existence of said society, and that in consequence it should be wound up and be declared to be legally dissolved;

And whereas among the immoveable property proposed to be conveyed by the said society to the said university there is included a certain lot of land and premises, to wit, the southwest half of lot No. 1527 on the official plan and book of reference of St. Antoine ward, Montreal, which was acquired by the said society from the trustees of the Evangelical Lutheran Church of the Redeemer, by deed passed before H. M. Marler, N. P., on the 6th day of May, 1910, duly registered under No. 148721 in the registration division of Montreal West, since which date it has been in the effective possession of the said society as proprietor, but doubts have arisen as to the power of the said trustees to make the said sale and conveyance, and it is expedient to quiet the said doubts and to ratify and confirm the said sale;

And whereas the said lot 1527 of the said St. Antoine ward at one time belonged to the succession and estate of the late Dame Eliza Hudson, widow of the late George Matthews, who died on the 22nd of October, 1902, leaving her last will and testament before W. de M. Marler and colleague, notaries, dated the 4th of September, 1896, by the terms of which will the said Mrs. Matthews named as her executors her son, the late George H. Matthews, James W. Pyke and George C. Hiam, with power to sell her real estate and extending their powers beyond the year and day limited by law, and providing that there should always be three executors, and that in the event of the death of any executor the place of such deceased executor should be filled by an executor named by a judge of the Superior Court on the advice of a family council;

And whereas upon the death of the said George H. Matthews, who died on the 19th of January, 1904, Frederick B. Matthews was, upon the advice of a family council called in accordance with said will, appointed an executor of said will of said Mrs. Matthews in place of the said George H. Matthews by a judgment rendered by the deputy prothonotary of the said Superior Court purporting

to exercise the powers of said judge on the 26th of May, 1905, which said Frederick B. Matthews accepted his said appointment and thereafter acted as executor with the other executors named in said will;

And whereas the said executors, to wit, the said James W. Pyke, George C. Hiam (two of the executors named in said will) and the said Frederick B. Matthews, so named as replacing executor, sold the said lot 1527,— the southwest half thereof to the said Evangelical Church of the Redeemer by deed before H. M. Marler, N. P., on the 14th of July, 1905, registered on the 3rd of August, 1905, under No. 141052, and the northeast half thereof to the said Natural History Society of Montreal by deed before W. de M. Marler, Notary, on the 27th of March, 1906, registered on the 3rd of April, 1906, under No. 142143;

And whereas doubts have now arisen as to the regularity of the appointment of the said Frederick B. Matthews as replacing executor, and it is expedient to quiet the said doubts and to ratify and confirm the appointment of the said Frederick B. Matthews as executor of the said Mrs. Matthews, replacing his brother George H. Matthews so deceased;

And whereas the said Natural History Society of Montreal has prayed for an act to ratify and confirm the said conveyance and to have it declared that the said society is dissolved and wound up, and it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Sale ratified. **1.** The sale, conveyance and transfer from the Natural History Society of Montreal to the Royal Institution for the Advancement of Learning (McGill University) of all its property and assets, moveable and immoveable, as described in, and upon the conditions stipulated in, the deed, passed at the city of Montreal before Henry Fry, notary public, on the 6th day of February, 1925, and bearing No. 19249 of the minutes of the said notary, is hereby ratified, confirmed and declared legal and valid.

Rights of  
creditors  
reserved.

**2.** The rights and recourses of all creditors of the Natural History Society of Montreal upon the property and assets transferred by said conveyance are hereby reserved until all the debts and liabilities of said Natural History Society are paid, provided that such reserve shall not create or constitute any hypothecary right or privilege upon the immoveable property conveyed by said deed of sale.

**3.** The right and power of the Reverend John Joseph May *et al.*, in their quality of trustees of the Evangelical Lutheran Church of the Redeemer, at Montreal, to make and execute the sale and conveyance to the Natural History Society of Montreal, passed at the said city of Montreal before Herbert M. Marler, notary public, on the 6th of May, 1910, is hereby recognized, ratified and confirmed.

**4.** Insofar as the deeds of conveyance referred to in the fifth paragraph of the preamble to this act are concerned, the appointment made on the 26th of May, 1905, by the deputy prothonotary of the Superior Court for the district of Montreal, on the advice of a family council, of Frederick Barnard Matthews as an executor of the last will and testament of his mother the late Dame Eliza Hudson, widow of the late George Matthews, passed before W. de M. Marler and colleague, notaries, on the 4th of September, 1896, and replacing as executor his brother, the said George H. Matthews, then recently deceased, is declared to have been legally and regularly made, and is, insofar as may be necessary, ratified and confirmed, and the said Frederick B. Matthews is declared to have been ever since his said appointment one of the duly appointed executors of the said last will and testament of his said late mother, Dame Eliza Hudson, widow of the late George Matthews.

**5.** The said Natural History Society of Montreal is hereby declared to be dissolved.

**6.** This act shall come into force on the day of its sanction.

## CHAP. 125

### An Act respecting *L'Assurance mutuelle des fabriques de Québec*

[Assented to, the 4th of March, 1925]

**W**HEREAS *L'Association d'assurance mutuelle des fabriques de la Province ecclésiastique de Québec* has, by its petition, represented:

That it was incorporated by the acts 16 Victoria, chapter 149, and 9 George V, chapter 122;

That it wishes to change its corporate name and sub-