

SCHEDULE A.

KNOW ALL MEN BY THESE PRESENTS, the Lachute Protestant Cemetery, for and in consideration of the price and sum of
in hand paid to the said Company, does grant, bargain sell and convey unto

a certain burial lot in the Lachute Protestant cemetery measuring feet by feet, English measure, and described on the official plan thereof under No.

This sale is made subject to the by-laws and regulations of the corporation which do now or may hereafter govern the said cemetery.

IN WITNESS WHEREOF the President and Secretary of said corporation have signed these presents and affixed the seal of the said corporation at the Town of Lachute, this
day of

19

President.

Secretary.

C H A P . 1 3 8

An Act to amend the charter of the Trustees of the American Presbyterian Society of Montreal, and to ratify a certain deed of hypothec.

[Assented to 5th March, 1915]

Preamble.

WHEREAS the Trustees of the American Presbyterian Society of Montreal, by petition, have prayed for amendments to their charter;

And whereas by sections 3 and 4 of the act 27-28 Victoria, chapter 163, it is provided that no sale or hypothecation of the property of said corporation may be validly executed except on a requisition or consent signed by three-fourths of the proprietors of pews in the church or place of worship of the congregation, and it was found necessary to raise the sum of five thousand five hundred dollars by way of mortgage upon the property of the said

corporation by hypothec as hereinafter mentioned, but that it was found impracticable to comply with the provisions of said sections 3 and 4 of said act, inasmuch as nearly all of the original proprietors of pews therein referred to have long since died, and transmission of their interests in said pews to their heirs had not been made, and the petitioners desire to have said hypothec ratified;

And whereas it is expedient to grant the prayer of the petitioners;

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

1. Section 3 of the act 27-28 Victoria, chapter 163, is hereby replaced by the following:

27-28 Vict.,
c. 163, s. 3,
replaced.

"3. The said corporation shall have power to acquire by purchase, donation, exchange, legacy or other title, and to hold, possess, and enjoy any moveable or immoveable property for any of the purposes of said corporation, and including mission churches, mission schools, and manses which may already have been acquired and which may be acquired for the purposes aforesaid, and to supervise, administer and manage the same, with power to make by-laws, rules and regulations respecting such properties; and such corporation, acting by its trustees, shall also have the power to sell, alienate and dispose of the whole or any part or parts of such real estate now held and which may be held by it, and to apply the proceeds of such sale or disposal for any and all of the purposes of said corporation; provided however, that, no such sale or alienation be valid unless sanctioned or unless ratified by a resolution passed by a three-quarters majority of the members of the said corporation present at any duly called annual meeting of said corporation, or present at any special meeting of said corporation duly called for the purpose, and provided also that the purchaser of such real estate shall not in any case be required or bound to see to the application of the consideration money or any part thereof, and that a receipt for the same from the treasurer of said corporation shall be a full discharge to such purchaser."

Power to acquire property.

Alienation.

Proviso.

2. Section 4 of the said act 27-28 Victoria, chapter 163, is hereby replaced, as follows:

Id., s. 4.
replaced.

"4. It shall be lawful for the said corporation acting by its trustees to raise by way of mortgage on the real estate now held and to be hereafter held by the said corporation, and on the church or buildings thereon erected and to be erected, such sum or sums of money as may be deem-

Borrowing power.

Hypothecs.

Proviso. ed necessary for any of the purposes of said corporation; provided that such mortgage shall not be valid unless sanctioned or ratified by a resolution passed by a three-quarters majority of the members of said corporation present at any duly called annual meeting of the said corporation, or at any special meeting of the said corporation duly called for the purpose."

Certain hypo- **3.** Notwithstanding that by section 4 of the said act
 thec ratified. 27-28 Victoria, chapter 163, it is provided that the consent of three-fourths of the proprietors of pews should have been obtained in the manner as set forth in section 3 of the said act, and notwithstanding such formalities not having been observed with respect to the hypothec granted by said corporation in favour of Dame Maud McKinnon, widow of Robert W. Houston, *et al, es qual.*, passed before J. A. Cameron, N. P., the 8th October, 1914, in the sum of five thousand five hundred dollars and interest, it having been found impracticable to fulfil the said formalities, the said hypothec shall be deemed to have been duly and properly executed and binding upon said corporation after the same shall have been ratified as aforesaid by a three-quarters majority of the members of the said corporation present at any duly called annual meeting of said corporation, or at any special meeting thereof duly called for the purpose.

Id., ss. 15 & **4.** Sections 15 and 16 of said act 27-28, Victoria, chap-
 16 replaced. ter 163, are hereby replaced by the following:

Board of **"15.** The affairs of the corporation shall be managed
 trustees. by a board of not less than nine nor more than fifteen trustees, who shall have the same powers as the trustees hereinbefore named and incorporated, and who shall be elected by a plurality of the votes of the members of the said corporation present and qualified as aforesaid at the annual meetings of the said corporation. And said trustees, who shall include the trustees presently in office, shall be elected, so that one-third of the number of said trustees so elected, as near as may be, shall go out of office at the time of the annual meeting to be held each year, their successor or successors in office to be elected for a term of three years. The present trustees of the corporation shall continue in office until the expiration of their respective terms of office.

Their num- **"16.** The number of trustees, being not less than nine
 ber. nor more than fifteen as aforesaid, shall be determined from time to time by said corporation by by-law to that effect passed at any duly called annual meeting of said

corporation or at any special meeting duly called for the purpose.

"16a. In the event of any vacancies occurring by ^{Vacancies.} disqualification, death, resignation or permanent removal from the district of Montreal of any of said trustees, or by failure to elect trustees at the annual meetings as afore-said, such vacancies may be filled by the trustees by resolution passed at any regular meeting or at any special meeting of the trustees duly called for the purpose."

5. Section 17 of the said act 27-28 Victoria, chapter 163, is hereby replaced by the following: ^{Id., s. 17,} replaced.

"17. No person shall be eligible to the office of trustee ^{Qualification} in the said corporation unless he be a pewholder and ^{of trustee.} occupier of a pew in the said church of at least one year's standing, not in arrears of rent, a stated resident of the district of Montreal, and of the full age of twenty-one years, and not a member of any other church or religious congregation."

6. Section 13 of the act 27-28 Victoria, chapter 163, as ^{Id., s. 13,} replaced by section 1 of the act 63 Victoria, chapter 98, is replaced. hereby replaced, as follows:

"13. All holders of one or more sittings in the said ^{Qualifica-} church or place of worship, whether holding the same by ^{tions entit-} purchase or lease from the said trustees before the coming ^{ling to vote.} into force of this act, or from the said corporation after the coming into force of this act, and such seat-holders only shall be considered members of the said congregation, and of said corporation, for the purposes in this act mentioned and declared, and shall have the right to vote upon all matters submitted at the meetings of the congregation and of said corporation, called as hereinafter directed; provided that no such seat-holder shall be entitled to vote at any meeting of the congregation, unless he shall have been the occupant of a seat within one year immediately previous to such meeting, and unless all the seat rent due and payable by him shall have been paid in full up to the date of such meeting."

7. Section 23 of said act 27-28 Victoria, chapter 163, as ^{Id., s. 23,} amended by the act 35 Victoria, chapter 45, section 2, is repealed. hereby repealed.

8. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}
