

money and to sell, alienate or transfer the same, and to hypothecate or mortgage immoveable property, by and with the consent and participation of the bishop of the said Church in the said diocese, for the time being ; provided always, that the price or consideration of such mortgage, sale, alienation or transfer be applied to the uses and purposes for which the land or personalty so mortgaged, sold, alienated or transferred was conveyed: And provided also that such mortgage, sale, alienation or transfer be not inconsistent with, or contrary to the conditions of the deed of conveyance to the said Church, or to any bishop thereof, or to such parson or incumbent, as the case may be, of the land or personalty so to be mortgaged sold, alienated or transferred.

Coming into  
force.

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

## CHAP. 105

An act to authorize the Rector and Churchwardens of St. Matthias church, Westmount, to borrow money, and for other purposes.

[Assented to 24th March, 1911]

Preamble.

**W**HEREAS the Reverend Edward Bushell, M. A., Thomas Brophy, Esq., and Henry Elgie Suckling, Esq., all of the city of Westmount, in the district of Montreal, in their quality of Rector and Churchwardens, respectively, of the church of St. Matthias in the city of Westmount aforesaid, and a body politic and corporate, duly incorporated under the name of "The Incumbent and Churchwardens of the church of St. Matthias of the city of Westmount, in the Diocese of Montreal", in virtue of the provisions of the act 14-15 Victoria, chapter 176, as amended by the act 53 Victoria, chapter 123, have presented a petition praying for the passing of an act to permit the said corporation to undertake the matters and things hereinafter set forth, and whereas it is expedient to grant such petition;

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

Loans authorized.

1. The said corporation is hereby authorized and permitted to borrow, from time to time, a sum or sums of money not exceeding fifty thousand dollars, at such rates of interest and for such term or terms of years as it may approve.

2. For the purpose of securing the repayment of any sum <sup>Security for</sup> or sums of money, which may be borrowed hereunder, <sup>loans.</sup> together with interest, indemnities and other obligations, which may be required by the lender or lenders, the said corporation shall have the right to hypothecate any immoveable property held by or in trust for it and to undertake, sign and execute any and all deeds of mortgage or hypothecation, together with all such special clauses, conditions and supplementary undertakings thereto as may be required by the lender, and nothing in the deed or deeds by which any such property has been acquired heretofore, restricting the use of such property, shall operate in any way to restrict or impair the security or remedies of any creditor who may advance money upon the security thereof.

3. In the event of the said corporation deeming it expedient to do so, it may issue bonds or debentures, of such <sup>Issue of</sup> amount, par value, and at such rate of interest as it may <sup>bonds, &c.</sup> approve, to a total sum not exceeding fifty thousand dollars, redeemable in series, and sell and dispose of the said bonds or debentures at such prices and upon such terms as the said corporation may be able to secure, and for the purpose of securing such bonds or debentures with interest thereon, including a sinking fund, and all additional conditions and obligations, may hypothecate the immoveable property of the said church, or vested in said corporation as such, by whatsoever title acquired, in favour of a trustee or trustees to be named, and according to the terms and conditions that may be required by such trustee under its charter or otherwise.

4. The proceeds of any such loan hereby undertaken, <sup>Proceeds of</sup> after the deduction of all customary charges, such as legal, <sup>loans how ap-</sup> notarial and registration expenses, and commissions, if any, <sup>plied.</sup> shall be used and employed by the said corporation in the acquisition of any additional land or lands that may be required for the purpose, and the erection of a church, chapel, school-house, parsonage, or other buildings intended for the purposes ecclesiastical or parochial of the said parish and church without the lender being in any way responsible for such use or employment.

5. Always provided that no such hypothecation of the <sup>Approval of</sup> property of the said church as herein provided shall be <sup>hypotheca-</sup> made by the said corporation without the same being first <sup>tion by ves-</sup> approved at a meeting of the vestry of said church, com- <sup>try, &c.</sup> posed of persons who are members of the Church of England in Canada, attendants at and contributors to said church,

and in token thereof have signed the register kept for such purpose, which consent shall be evidenced by a copy of the resolution to that effect passed at such meeting and certified by the rector or incumbent.

Notice of vestry meeting.

**6.** The notice calling such meeting shall be given in accordance with the provisions of the Church Temporalities Act.

Approval of hypothecation by Bishop.

**7.** Always further provided that no such hypothecation, as hereinabove allowed, shall be made by the said corporation without the consent and authority of the Lord Bishop of Montreal, which may be evidenced by his written and signed approval of the resolution passed by the vestry of the church as above provided.

Certain rights preserved.

**8.** Nothing herein contained shall be held to restrict or limit the rights and authority hereby granted to the persons mentioned, but the present act shall equally apply to their successor or successors in office.

Coming into force.

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

## CHAP. 106

An Act to amend the act incorporating the Baron de Hirsch Institute and Hebrew Benevolent Society of Montreal.

[Assented to 24th March, 1911]

Preamble.

**W**HEREAS the Baron de Hirsch Institute and Hebrew Benevolent Society of Montreal, has by petition among other things represented that the said society was incorporated on the 23rd day of March 1900, by the act 63 Victoria, chapter 106, and that it desires to extend its powers with respect to the investment of its funds ; and

Whereas it is expedient to grant the prayer of the said petitioner;

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

63 V., c. 106, s. 7, replaced.

**1.** Section 7 of the act 63 Victoria, chapter 106, is replaced by the following :

Investment of moneys.

**“7.** The corporation may invest its moneys, and may, from time to time, vary such investments, but only in stock or public securities of the United Kingdom, of the Dominion of