

2. This act shall come into force on the day of its sanc- Coming into force.
tion.

C A P . X L .

An Act to incorporate the Synod of the Church of England in the Diocese of Quebec, and for other purposes connected with the Temporalities of the said Church.

[Assented to 9th May, 1885.]

WHEREAS the Lord Bishop of Quebec and the Synod Preamble.
of the Church of England in the diocese of Quebec have, by petition, represented that it is expedient that the said Synod should be incorporated and granted power to hold property, and also to adopt a simple method of authenticating and proving the minutes, journals and canons of the said Synod ; and that it is also expedient to amend the law respecting the acquisition and alienation of immovable and other property by the said Church and regulating the management of the temporalities thereof, and to enable the said Bishop to transfer, to the parties for whose benefit they are held, certain properties and funds now by him held in trust, and have prayed to have an act passed for the said purposes, and whereas it is expedient to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said Synod is hereby incorporated and made and Synod incorporated.
constituted a body politic and corporate, under the name of
" The Synod of the Church of England in the Diocese of Name.
Quebec," with perpetual succession and all other the rights,
powers and privileges incident or belonging to like corpo- Powers.
rations.

2. For all acts or purposes, respecting which it may be Certain persons to represent synod.
necessary for the said Synod to be represented, it shall be
represented by the Bishop and secretaries in office for the
time being.

3. The said Synod is hereby authorized and empowered Power to hold, &c., real estate.
and shall be able, from time to time and at all times
hereafter, by gift, bequest, purchase, exchange or any other
title, without license of mortmain (*lettres d'amortissement*), to
acquire, receive, take, hold, possess and enjoy property of
every kind, real and personal, movable and immovable,
for the uses and purposes of the said Church ; and the

Proviso. same to manage, let, mortgage or hypothecate, exchange, sell, alienate, dispose of and replace whenever the said Synod may deem it expedient so to do, the acts of Parliament, commonly called the Statutes of Mortmain or any other act, law or usage to the contrary notwithstanding. Provided that such immovable property shall not exceed in annual value the sum of twenty thousand dollars over and above the value of such immovable property as may be required for the use of the said corporation itself.

Existing printed journals of synod may be certified.

4. The actual and present Bishop of Quebec and secretaries of the said Synod may and they are hereby authorized and empowered to certify by their signature one or more of the existing printed journals of the said Synod for all, each and every the past sessions thereof to be the record of the proceedings, acts and canons of the said Synod; and such printed journals so certified shall be taken to be, and shall have the force and effect of and serve and avail as, the original and authentic records of all the proceedings, acts, minutes, journals and canons of the said Synod to all intents and purposes whatsoever.

Copies of journals certified as such to be proof.

5. All copies and extracts, written or printed, certified by the signature of the Bishop or his commissary, or of the secretaries of the said Synod for the time being, to be true copies of or extracts from the journals of the said Synod, shall be received as proof in all courts and elsewhere, without any other evidence being necessary as to the contents thereof, and shall be held authentic and correct until the contrary be proved.

Rectors, &c., incorporated.

Name.

Powers.

6. The rector, or incumbent, and church-wardens and their successors of every church, parish, mission or congregation in the said diocese already duly constituted and appointed, or who may hereafter be duly constituted and appointed, under or in virtue of the regulations of the said diocese or canons of the said Synod shall be incorporated and form a body politic and corporate, under the name of the "Rector (or Incumbent) and Church-wardens of the Church (or parish &c) of (designate the Church) of (name the place)" with all the rights, powers and privileges incident or belonging to like corporations; and shall for all purposes represent the church, parish, mission or congregation for which they are constituted and appointed; and shall have the possession, management and administration of all property and temporalities belonging thereto, which shall be vested in them, and may, subject to such rules and regulations as may be made from time to time by the said Synod, let, mortgage or hypothecate, exchange, sell,

alienate, dispose of and replace, whenever it may be deemed expedient so to do, all property of every kind movable and immovable belonging to such church, parish, mission or congregation; and every deed or conveyance which by law may now be made to any rector or parson or other incumbent may hereafter be made to any rector, parson or other incumbent and church-wardens and their successors.

7. Nothing in this act contained shall be construed to affect the rights of any parsonage or rectory now established by letters patent, or of any proprietary chapel; nor to sanction the disposal of any property in a manner contrary to the terms of the title under which the same is held; nor to create, give or confer any permission, right, power or authority to mortgage or hypothecate any church or lot of ground upon which a church may stand or be built, or any church yard or lot of ground forming the immediate enclosure of any church, whether the same be used as a graveyard or not, or any graveyard, cemetery or burial place, whether adjacent to a church or situate elsewhere.

Certain rights not affected.
Certain property not be-
disposed of or
mortgaged, &c.

8. The said Bishop may and he is hereby authorized and empowered to assign, transfer and convey to any body duly incorporated or which may hereafter become incorporated all moneys, securities, funds and other property movable and immovable by him received or hereafter to be received in trust for such body before its incorporation; provided such transfer and conveyance be not inconsistent with or contrary to the conditions, purport or intent of the trust.

Power of
Bishop to
transfer prop-
erty.
Proviso.

9. The present act shall come into force on the day of its sanction.

Coming into
force.

C A P. X L I.

An Act to enable the Rector of St. Stephen's church, in the Parish of St. Stephen's, in the Diocese of Montreal, to sell the lot of land on which the parsonage house is erected, and the said house and outbuilding.

[Assented to 9th May, 1885.]

WHEREAS the Rector of St. Stephen's Church, in the Parish of St. Stephen's, in the Diocese of Montreal, hath, by his petition, set forth:

Preamble.