

respectively, of the property assigned to and accepted by them in exchange by the said deed of division, (*partage*).

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

C A P. X L V.

An Act to authorize the Incumbent and Church Wardens of the Church of St. John the Evangelist, Montreal, to borrow money, and to hypothecate the church site and buildings thereon.

[Assented to 10th June, 1884.]

WHEREAS the Incumbent and Church Wardens of ^{Preamble.} St. John's Church, of the parish of St. John the Evangelist, in the city and diocese of Montreal, represented by the Reverend Edmund Wood, M. A., the present Incumbent, and Henry Mortimer Holland and James Henry Plummer, of Montreal, Esquires, the present Church Wardens of the church, have, by their petition, represented that, under the authority of an act of the Legislature of this province, passed in the thirty-eighth year of Her Majesty's reign, chaptered sixty-five, they became vested with and now hold the property mentioned in the fifth section thereof, to wit of the lots of land, subdivisional numbers two, three, four, five, six, seven and eight of lot official number one hundred and sixty-eight of the official plan and book of reference of St. Lawrence Ward of the city of Montreal, and have erected thereon a church edifice which is now in use, but not yet completed to the full extent of their intentions; that, in the acquiring of the said land and in the erection of the said church building and otherwise, they have contracted certain indebtedness, for which obligations comporting hypothec on said premises have been given;

That certain of the creditors desire to be paid off while the petitioners can, as they believe, now borrow the sums necessary at lower rates of interest, by consolidating the said indebtedness;

That they may also desire, either at the same time or later, to borrow money for the purpose of completing the church as intended, and for other purposes connected with the affairs of the said church, and to give hypothecary security on the said premises therefor;

That doubts have been raised as to the right of the petitioners, under their present powers, to borrow money and

to hypothecate the said premises, which doubts interfere with the completion of the intended loans on advantageous terms; and they have to that end prayed that they may be authorized to borrow money for the purposes aforesaid, and to hypothecate the said premises as security therefor; 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:

Incumbent,
&c., of church
of St. John the
Evangelist
may borrow
certain sums
of money.

And hypothecate the
church, &c.

Persons lending
not required
to see to
application of
money.

1. The Incumbent and Church Wardens of St. John's Church, of the parish of St. John the Evangelist, and their successors in office, may, in their discretion, borrow any sum or sums of money from such party or parties as may be willing to lend the same, and at such rate of interest, and on such terms and conditions as may be agreed upon, for the purpose of paying off the existing indebtedness and consolidating the same, of paying for the completion of the said church edifice, and for any other purpose connected with the said church, and to renew any loans so made for the said purposes; and, for securing the repayment of the said sum or sums so borrowed, may hypothecate the land to them belonging, to wit: lots subdivisional numbers two, three, four, five, six, seven and eight of official lot number one hundred and sixty eight of St. Lawrence Ward, in the city of Montreal, with the church and other buildings thereon erected, or to be erected; and in default of due payment of any sum or interest for securing which the said premises shall be so hypothecated, the same may be taken in execution in satisfaction of any judgment obtained for such sum or sums of money so unpaid and be sold by the sheriff and adjudged, and may be dealt with by the purchaser (*adjudicataire*) in like manner as any other real property seized and sold in execution, notwithstanding the said lands, church and buildings, or any portion thereof, may have been set apart, consecrated and used for public worship, any law, usage or custom to the contrary notwithstanding.

2. No person lending any money to such Incumbent and Church Wardens of St. John's Church shall be required to see to the proper application of such sum or sums of money as may be so loaned.