

An Act to authorize "The rector and church wardens of St. Jude's Church, of the parish of St. Jude, in the Diocese of Montreal," to borrow money and hypothecate the church property.

[Assented to 10th June, 1884.]

**W**HEREAS the rector and church wardens of St. Jude's Church, of the parish of St. Jude, in the Diocese of Montreal, have, by their petition, prayed to be permitted to borrow the sum of twelve thousand dollars current money of Canada and to hypothecate as security therefor the following real estate acquired by them under and by virtue of a deed of sale to them by Michel Charles Joseph Coursol, residing in the parish of Montreal, in the district of Montreal, esquire, executed on the thirty-first day of May, eighteen hundred and seventy-six, before D. E. Papineau, Notary Public and registered on the eighth day of July of the same year, in the then Registration Division of Montreal, to wit: subdivision number four of the lot of land known and described on the official plan and in the book of reference of the municipality of the parish of Montreal as lot number three hundred and eighty-six A., subdivision number two of the lot of land known and described on said official plan and in said book of reference as lot number three hundred and ninety-nine, subdivisions one and two of the lot of land known and described on said official plan and in said book of reference as lot number four hundred, subdivision numbers one and two of the lot of land known and described on said official plan and in said book of reference as lot number four hundred and one, subdivision numbers one and two of the lot of land known and described on said official plan and in said book of reference as lot number four hundred and two, subdivision numbers one, two and three of the lot of land known and described on said official plan and in said book of reference as lot number four hundred and three, subdivision numbers eight, nine, ten, eleven, twelve and thirteen of the lot of land known and described on said official plan and in said book of reference as lot number four hundred and three A.; and subdivision numbers one, two, three, four, five and six, of the lot of land known and described on said official plan and in said book of reference as lot number four hundred and four, and the church and all other buildings erected and being on said real estate, and also to hypothecate said real estate, church and buildings, in case of need, in favor of their creditors; 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:

Rector and church wardens of St. Jude's church may borrow certain sums of money and hypothecate church therefor.

1. The rector and church wardens of St. Jude's Church, and their successors in office, are hereby empowered to borrow, on such terms and conditions as they can obtain the same, such sum or sums of money not exceeding in the aggregate the sum of twelve thousand dollars, as they may deem expedient, and to hypothecate as security for the due repayment to the lender or lenders of such sum or sums of money, the aforesaid real estate so acquired by them as aforesaid, and the church and all other buildings thereon erected and being.

Proviso if they cannot borrow sufficient sum.

2. In case the rector and church wardens should not succeed in borrowing an amount sufficient to meet their requirements, they are hereby empowered to hypothecate said real estate, church and buildings for such sum or sums of money as they may deem necessary to secure their present liabilities, in favor of their creditors; provided the hypothecations to lenders of money as aforesaid and to their said creditors do not exceed in the aggregate the sum of twelve thousand dollars, current money of Canada.

Sale of church &c., if monies not paid.

3. In default of the due payment of any sum of money for securing which the said real estate, church and buildings shall be hypothecated as aforesaid, the said real estate, church and buildings may be seized in execution, in satisfaction of any judgment obtained for such sum, sold by the sheriff and adjudged, and belong to and be dealt with by the purchaser (*adjudicataire*) in like manner as any other real property seized and sold in execution, notwithstanding the said church and premises may have been set apart, consecrated and used for public worship; any law, usage or custom to the contrary notwithstanding.

Persons paying money under this act not bound to see to application thereof.

4. No person, who, under the authority of this act, pays any sum of money to the said rector and church wardens or to their successors in office, shall be in any way bound to see to the application of or be answerable for the non-application of the said money or any part thereof.