

4. All property held at all times by the Corporation as also the revenues therefrom, shall be always applied and appropriated exclusively to the objects hereinbefore mentioned. Application of revenues.

5. The Corporation shall make reports to the Legislature of this Province when called upon so to do. Return to Legislature.

6. This act shall come into force on the day of its sanction. Act in force.

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C A P. L X V I.

An Act respecting "The Trafalgar Institute."

[Assented to 30th March, 1883.]

**W**HEREAS the "Trafalgar Institute," have, by their petition represented that at the city of Montreal, in the district of Montreal, on the nineteenth day of March, in the year 1867, before William Ross and Henry Blake Wright, notaries public, Donald Ross, of the parish of Montreal, in the district of Montreal, esquire, seignior of the seigniory of St. George, in the said district, duly made his last Will and Testament, wherein and whereby, among other things, the said Donald Ross made the following devises and bequests, to wit :

"The said Testator hereby gives, devises and bequeaths the property on the South Eastern slope of the Mountain, and fronting on the Côte-des-Neiges road, known as the "Trafalgar property," and purchased by him at Sheriff's sales, to the Reverend Alexander Mathieson, D.D., minister of St. Andrew's Church, Montreal, and to his successors, ministers of such church; the Reverend John Jenkins, D.D., minister of St. Paul's Church, Montreal, and to his successors, ministers of said church; John Green-shields and Hugh Allan, both of the city of Montreal, the two lay members of the board of trustees of Queen's College, Kingston, resident in Montreal, and to their successors, lay members of such board as may be resident in Montreal, the Venerable William T. Leach, archdeacon of Montreal, in connection with the Canadian branch of the Church of England, and to his successors, archdeacons of Montreal, the Reverend William Snodgrass, principal of the said Queen's College, and to his successors, principals of the said College, and John W. Dawson, LL.D., principal of McGill College, Montreal, and his successors, principals of McGill College, in trust so soon as the accumu- Preamble.

lated revenue of such property, and the rest and residue of the testator's estate and property, and such donations and bequests as may be given by other parties for the purposes hereinafter stated, shall, in the judgment of the executors hereinafter named, amount in value to the sum of one hundred thousand pounds currency, after payment of the legacies to the executors hereinafter mentioned, and of all the testator's just debts, and funeral and testamentary expenses, to erect, establish and for ever maintain on the aforesaid property, known as the "Trafalgar property," a Seminary or Institute to be called "The Ross Institute," for the educational training of the middle and higher ranks of female society; subject however, to the several trusts, conditions, limitations and provisos hereinafter declared.

And with regard to the rest and residue of the said testator's estate, real and personal, moveable and immoveable, of every nature and description whatsoever, and wheresoever situate (including all the property that shall revert to his estate, at and after the death of the special legatees hereinbefore firstly enumerated) the said testator hereby gives, devises and bequeaths the same to his executors hereinafter named in trust, to manage and administer, the same until in the judgment of such executors, the property presently bequeathed, together with the accumulated revenue of the aforesaid property, known as the "Trafalgar property," and with such donations and legacies as may be given by other parties for the purposes of the aforesaid institute, shall amount in value to one hundred thousand pounds, after the payment of the legacies to the executors hereinafter mentioned, and of all the testator's debts, and funeral and testamentary expenses, and then to sell and convert into money the whole of such rest and residue of the testator's said estate, and invest the same in first class mortgages on real estate or *bailleurs de fonds*, bank stocks, or other description of commercial stock, or in Government securities, or other description of safe investment, and then to assign, transfer, convey and make over the whole of such mortgages, stocks, securities or other description of investment, and all and singular the rest and residue aforesaid of the said testator's estate and property of every kind and description generally whatsoever, after deduction and payment of the legacies hereinafter bequeathed to the said executors, and of all disbursements and expenses incurred by them in the execution of this will, and the management of the said estate and property, unto the said trustees hereinbefore named and appointed, to be ever thereafter held, used, possessed and enjoyed by the said trustees and their successors, in full property, in trust for the aforesaid 'Ross Institute.'

And with respect to the said Institute so to be erected, established and maintained, the said testator hereby declares that his intention is to do the greatest amount of good possible in educating the female sex, or young girls; and towards the attainment of the object in view, the said testator doth hereby declare it to be his will and pleasure that the whole of the ground comprised within the limits of the said property, known as the "Trafalgar property," together with all the houses and buildings thereon erected, shall be appropriated to the said Institute, together with the present greenhouse or greenhouse to be erected thereon in connection with the Seminary.

The trustees hereinbefore named and their successors shall be governors of the said Institute."

And whereas, the said Donald Ross, among other regulations as to the said Institute, further directed as follows, to wit :

"The allowance to governors in Montreal shall be to each, during the time of their holding office (which shall not exceed five years) two pounds ten shillings currency for each meeting which they themselves respectively attend. Those coming from a distance to be allowed travelling and lodging expenses in addition."

And further as follows :

"Application may be made to the Legislature for the purpose of obtaining an act of incorporation for the said seminary, in accordance with the spirit of the said testator's wishes as herein set forth, so soon as the said trustees or Governors may deem it advisable, and in such act of incorporation, provision may be made for vesting the corporation so to be created with all the property hereinbefore mentioned, and with all the powers hereinbefore conferred; all property bequeathed, transferred or conveyed to the said Trustees or to any one else in trust for the said Institute, for the sole use, benefit and behoof of the said Seminary or Institute, be the same bequests, privileges or otherwise or from whatever source or channel the same may emanate, including all gifts and grants or otherwise, the whole shall be applied in accordance with the intention of those from whom the same may have been received, provided it be not in contravention of anything herein contained.

And for the execution of the present will and testament the said testator doth hereby nominate and appoint his said wife, the said Jane Ross, George W. Stephens, son of Harrison Stephens, of Montreal, Esquire, the said Reverend John Jenkins and his successors, ministers of the said St. Paul's Church, and the Reverend Alexander Mathieson, D.D., minister of the said St Andrew's Church, Montreal, and

his successors, ministers of such Church, and the survivors and survivor of them; the said Jane Ross, George W. Stephens, John Jenkins and Alexander Mathieson, and their successors aforesaid, all of whom the said testator appoints his executors, in favor of whom he doth in conformity to the law and custom of this Province, disseize and divest himself of all his property, except the said Trafalgar property, for the ends thereof.

The said executors shall have power to act as such beyond the year and day limited by law, and until the full accomplishment of this will, and shall execute deeds and conveyances for all or any part or parcel of the testator's property, and grant acquittances for the purchase money, and they are hereby empowered to invest the proceeds or any part thereof at interest, for the ends, intents and purposes set forth in this will."

And whereas, by the act of this Province, 35 Victoria, cap. 43, amended by 36 Victoria, cap. 68, the said Testator and the persons to whom the said Trafalgar property was so devised in trust, were created a body corporate by the name of "The Trafalgar Institute," for purposes identical with those set forth in the said last will and testament;

And whereas, it appears by the said petition that the said act of incorporation was obtained at the instance of the said Donald Ross, and in furtherance of the said last will and testament;

And whereas, a deed of sale was executed on the 30th day of June 1871 before William Ross, Notary Public, under the No. 13,609, between the said Donald Ross and the said other persons, whereby, as well as by the 3rd section of the said act, the said Trafalgar property was therein and by the said acts vested in the said Trafalgar Institute;

And whereas, at the said City of Montreal, on the 15th day of November, in the year 1876, before William Ross and J. B. Houllé, Notaries Public, the said testator made a codicil to his said last will and testament, whereby without in any way altering the said devises and bequests to the said Ross Institute, in the room and stead of the said aforementioned executors, appointed Romeo H. Stephens, of the said City of Montreal, Insurance agent, and David J. Greenshields, of the said city, merchant, and the survivor to be his executors, to act as such beyond the year and day limited by law, and to be vested with the powers vested in the executors so named by his said last will and testament; and the said testator further provided that should anything happen to his said executors Alexander Mitchell and Alexander Macpherson should act in their place and stead;

And whereas, the said Romeo H. Stephens and David J. Greenshields have declined to act as such executors, and the said Alexander Mitchell and Alexander Macpherson are acting in their stead and administering said estate ;

And whereas, the said "Trafalgar Institute" have by their said petition prayed for an act more fully defining the intentions of the said Donald Ross, as so expressed by him, and for certain amendments to their said act of incorporation ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The rest and residue of the said testator's estate, real and personal, moveable and immoveable, of every nature and description whatsoever and wheresoever situate, (including all the property that has reverted or shall revert to his estate, at and after the death of the special legatees in the said will and codicil mentioned) are declared to have been given, and devised under the said trust, and as by the said will provided, for the said Trafalgar Institute ; and the said Trafalgar Institute is ratified and confirmed in, and declared to have been and to be entitled to and possessed of all and every the rights, powers, privileges, titles and endowments so given by the said will and codicil, to as full and ample an extent as if its name had appeared in them, and each of them in the room and stead of the Ross Institute.

Certain property vested in Trafalgar Institute.

2. The executors of the said late Donald Ross and all persons who shall or may represent or succeed them in the administration of the said estate are hereby authorized and bound to administer the same for the benefit of the said "Trafalgar Institute."

Duty of certain Executors.

3. In the event of the said executors Alexander Mitchell and Alexander Macpherson, or either of them, dying or declining to act, or of a vacancy in anywise occurring in the said executorships, then the said Trafalgar Institute shall at once and *ipso facto* become seized and possessed of the said estate, with power to administer the same to the same extent, for the same purposes and subject to the same conditions (in so far as not explained or altered by this act) as are provided for by the said last will and testament and the said codicil.

Provision for administering property in event of death of certain Executors.

4. The said "Trafalgar Institute," upon becoming seized and possessed of the said succession shall be vested with power to sell and convert the real and personal estate, to execute all necessary deeds and conveyances thereof, to

Power of Institute when vested with property.

grant acquittances therefor, to invest the sum or sums of money thus arising, in real securities, or public stocks or funds, and to vary the investments, from time to time, as is found best ; the whole upon the trusts contained in the said last will and testament and the said codicil.

Institute may erect building for Seminary, &c.

5. The said "Trafalgar Institute" may further, after the payment of all prior charges imposed by the said late Donald Ross, at once proceed to erect, establish and maintain on the said Trafalgar property the said "Seminary or Trafalgar Institute," and may also at once proceed to administer such other bequests and donations as may have been or may be given for the establishment of classes for women or other educational objects consistent with the purposes of the Institute.

Certain lay members of Board of trustees of Queens' College, to be members of Trafalgar Institute.

6. The two lay members, senior by appointment of the board of trustees of Queen's College, Kingston, who are resident at Montreal, and their successors, such lay members of said board as may be resident at Montreal, (but not at any time exceeding two), are hereby created and made members of the said "Trafalgar Institute."

Members to act as governors thereof.

7. The members of the said Institute shall be and act as the governors thereof, and limitation to the contrary notwithstanding.

## C A P. LXVII.

An Act to incorporate the religious congregation called "Temple Emmanu-El."

[Assented to 30th March, 1883.]

Preamble

WHEREAS the persons hereinafter mentioned have, by their petition, represented that there exists in the city of Montreal a religious congregation, composed of persons belonging to the Jewish faith, and of which the petitioners, who are all British subjects, are members ;

Whereas they have a place of worship or synagogue, called "Temple Emmanu-El," and they have prayed to be incorporated under such name for religious purposes and for the government of such congregation, and whereas it is expedient to grant their prayer ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain persons incorporated.

1. Benedix Boas, Levi Abrahams, Moses Sternberg, Bernard Kortarski, Adolphe Goldstein, L. Isaacs, Jacob L.