

a full return of the immoveable property acquired under this act, and of the receipts and expenditure in respect thereof, with such details and other information as may be required by the said Legislature.

C A P . X L I .

An Act to amend the Act 32 Vict., cap. 89, intituled :
 “An Act to incorporate the Protestant Institution
 for Deaf Mutes and for the Blind.”

[Assented to 9th March, 1878.]

Preamble.

WHEREAS the board of Governors of the Protestant Institution for Deaf Mutes and for the Blind have, by their petition, set forth that Joseph Mackay, Esquire, has acquired certain real estate and erected suitable buildings thereon which he is now prepared to place at the disposal of the said Institution, by way of donation, to be used for the purposes for which the same was created, and that it has become advisable, in view of the said proposed donation, to change the name of the said Institution to “The Mackay Institution for Protestant Deaf Mutes,” and have prayed that the said act be amended as the same is hereafter amended ; and whereas it is expedient to grant the prayer of their said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

New name.

1. The corporate name of the said Institution shall be changed from “The Protestant Institution for Deaf Mutes and for the Blind,” to that of “The Mackay Institution for Protestant Deaf Mutes ;” but the said corporation shall not therefore be deemed a new corporation and all real and moveable property, debts, rights, claims, privileges and powers, heretofore vested in or contracted by the said Protestant Institution for Deaf Mutes and for the Blind, are hereby transferred to “The Mackay Institution for Protestant Deaf Mutes,” which by its corporate name is hereby substituted, to all intents and purposes, for the said Protestant Institution for Deaf Mutes and the Blind.

Effect of the change.

32 V., c. 89.
 s. 1, amended.

2. Section one of the said act is hereby amended, by adding thereto the words : “in addition to the value of the property occupied for the purposes of the said Institution.”

Governors
ex-officio of

3. From and after the passing of this act, the following persons shall be *ex-officio*, without money qualification

and during their tenure of office in the undermentioned colleges respectively, Governors of the said Institution in addition to, and vested with the same powers, as those provided for by the said act to wit: the Principal of the university of McGill college and his successors, Principals of the said college; the Principal of the Church of England Theological College and his successors, Principals of the said College; the Principal of the Presbyterian College of Montreal and his successors, Principals of the said College; the Principal of the Wesleyan Theological College and his successors, Principals of the said College; the Principal of the Congregational College of British North America and his successors, Principals of said College, the said Colleges being all situate in the City of Montreal; provided that, in the event of the said Church of England Theological College being at any time hereafter discontinued or removed from the city of Montreal, the Lord Bishop of Montreal and his successors in office shall be *ex-officio*, during their tenure of office and without money qualification, Governors of said Institution, so long only as the said College shall not be re-established in the said city of Montreal; and provided also that, in the event of a Baptist Theological College being hereafter established in, or removed to the city of Montreal, the Principal thereof and his successors, Principals of the said College shall also be *ex-officio*, during their tenure of office and without money qualification, Governors of the said Institution.

4. The death of any of the officers mentioned in the third section of this act or of any of their successors, or the failure of appointment of a successor to a vacancy, from time to time, in any of the aforesaid offices of Principal, or the discontinuance or extinction of any of the said Colleges, shall not dissolve or otherwise impair or affect the said corporation, which shall continue to subsist, to all intents and purposes whatsoever, as fully and effectually as if no such death, failure of appointment of a successor or successors, or vacancy, or the discontinuance, or extinction of any of the said Colleges had occurred.

5. The deed of donation made before E. H. Stuart, notary public, at Montreal, on the nineteenth day of January eighteen hundred and seventy-eight from the said Joseph Mackay to the said institution, whereof a copy is printed as a schedule to this act, is hereby confirmed subject to the clauses and conditions therein expressed, but without prejudice to any vested rights.

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

SCHEDULE A.

DEED OF DONATION.
 from
 Joseph Mackay Esq.
 to

The Protestant Institution for Deaf Mutes and for the Blind.

ON THIS nineteenth day of January, one thousand eight hundred and seventy-eight,

Before Ernest Henry Stuart, the undersigned, public notary for the province of Quebec, residing at the city of Montreal,

Personally came and appeared Joseph Mackay, of the said city of Montreal, Esquire, hereinafter styled the "donor,"

And the Protestant Institution for Deaf Mutes and for the Blind, a body politic and corporate, duly incorporated under the laws of this Province, and herein acting and represented by Charles Alexander, of the city of Montreal, Esquire, president of the said institution, hereunto duly authorized by resolutions of the board of managers and board of governors, of the said Institution, passed at meetings of said board held on the fifth of December last, a copy whereof is hereunto annexed, signed and paraphed *ne varietur* by the parties hereto and said notary, the said Institution being hereinafter styled the "donee."

Which said donor, for the consideration and upon the terms and conditions hereinafter expressed and set forth, hath given, granted and confirmed, and by these presents doth give, grant and confirm, by way of donation *inter vivos à titre de donation entre vifs pure, simple et irrévocable*, subject to the conditions hereinafter mentioned, and without any promise of warranty unto the said donee thereof, accepting for itself. That is to say:

Those certain twelve lots of land, forming part of that certain plot of ground situate and being at Côteau St. Pierre, in the municipality of the parish of Montreal, said plot of ground forming part of lot number one hundred and eighty-one [No. 181], upon the official plan and in the book of reference of said parish of Montreal, which lots of land now given are designated as lots numbers fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, eighty-three, eighty-four, eighty-five, eighty-six, eighty-seven and eighty-eight, on the sub-division plan and book of reference of the said lot number one hundred and eighty-one, made, prepared and deposited in accordance with article 2175 of the civil code of

Lower Canada [lot No. 181, subdivisions 58, 59, 60, 61, 62, 63, 83, 84, 85, 86, 87 and 88], each of the said twelve sub-division lots containing fifty feet in front by one hundred and twenty feet six inches in depth, the whole English measure, with the buildings now erected on said lot by the said donor.

With the whole the said donee declares itself content and satisfied, having seen and viewed the same previous hereto.

The donor acquired the said property from Charles Gareau, by deed of sale executed before J. Lonergan, notary, dated the thirteenth of October, one thousand eight hundred and seventy-six, and duly registered in the then registration division of Montreal, on the fourth of November of the same year, under number 95094, and the said donor hereby undertakes to pay and discharge the balance of the purchase money remaining unpaid under the said deed, with the interest thereon till paid.

The donee to enter upon and take possession of the said property forthwith.

The present donation is thus made for and in consideration of the sympathy and interest which the said donor feels, and desires by the said donation to testify, for the charitable and benevolent objects for which the said Institution has been founded, and is made subject to all and every the conditions, clauses and covenants hereinafter mentioned

The said donation is made subject to the express condition that the said land, with all the buildings which are now or may hereafter be erected thereon, shall be for ever *insaisissables* and exempt from seizure or execution at the suit of any creditor or creditors of the said donee for any cause whatsoever and shall be held by the said donee for the uses and purposes hereinafter mentioned without the power of hypothecating, selling, alienating or disposing of the same in any manner whatever save and except as hereinafter provided.

The said donor further declares that he makes the present donation subject to the conditions following :

First. The said land and building shall be held by the said donee for the exclusive and perpetual use of the Protestant deaf mutes of the Province of Quebec.

Second. The principals or heads for the time being and their successors in office in perpetuity of the undermentioned colleges in the City of Montreal namely, The University of McGill College, The Church of England Theological College, The Presbyterian College of Montreal, The Congregational College of British North

America and The Wesleyan Theological College shall be ex-officio, without money qualification and during their tenure of office in said colleges respectively, Governors of the said Protestant Institution for Deaf Mutes and for the Blind in addition to and vested with the same powers as the Governors provided for under the Act of Incorporation of said Institution. Provided that, in the event of the said Church of England Theological College being at any time hereafter discontinued or removed from the city of Montreal, the Lord Bishop of Montreal and his successors in office shall be ex-officio, during their tenure in office and without money qualification, Governors of said Institution so long only as the said College shall not be reestablished in the said city of Montreal. Further in the event of a Baptist Theological College being hereafter established in or removed to the city of Montreal the Principal or head of the College and his successors in office in perpetuity shall also be ex-officio, during their tenure of office in said College and without money qualification, Governors of the said Institution.

Third. The said Institution shall be conducted on a Protestant non-denominational basis and all members of the Board of Governors and Board of Managers as well as the principal professors, teachers and matron of said Institution shall be protestant.

Fourth. A religious service or services for the benefit of the inmates of said institution shall be conducted within the said building regularly on each and every Sabbath day, and the said board of managers shall invite in turn the acting ministers in the churches of Montreal belonging to the several denominations represented by the principals of the theological colleges above named, to conduct said services, including the acting minister of the Baptist denomination; and should the clergyman or minister invited fail, from any unforeseen cause, to fill his appointment, it shall be the duty of Principal of the Institution to conduct service for that day.

Fifth. The said donee undertakes, without delay, to apply for such amendments to its charter or act of incorporation as may be necessary for the purpose of giving effect to the foregoing clauses and conditions.

Sixth. In the event, at any future time, of the land and buildings aforesaid not being required for the purposes specified, or the conditions aforesaid not being carried out, the said land and buildings may be ordered to be sold by a vote of not less than two-thirds of the entire number of life governors, *ex-officio* governors and elective governors, and all persons subscribing to said institution who shall be qualified, under the provisions of

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the act of incorporation thereof, to be elected governors, and the proceeds of the said sale shall be divided in equal proportions among the several denominations represented by the theological colleges above named, including the Baptist denomination; said money to be expended for the foreign mission work of said churches; provided always, that the meeting of the governors for this purpose shall be called by circulars addressed to each governor, and by public notice in the journals of the city for two months previous to said meeting, said circulars and public notice to specify the object for which such meeting is called.

And for the registration of this deed the parties constituted the bearer of an authentic copy hereof their attorney, to whom they give and grant all necessary authority.

Done and passed at the said city of Montreal, in the office of Ernest H. Stuart, the said notary, under the number twelve thousand three hundred and eighty-five, and signed by the said parties hereto, and said subscribing notary, after due reading hereof,

(Signed),

JOSEPH MACKAY,

CHARLES ALEXANDER,
President.

E. H. STUART, N. P.

A true copy of the original hereof remaining of record in my office.

E. H. STUART, N. P.

C A P . X L I I .

An Act to change the name of "The Montreal Infants' School Association" to that of "The Boys' Home of Montreal," and for other purposes.

[Assented to 9th March, 1878.]

WHEREAS the Montreal Infant's School Association Preamble have, by their petition, prayed that the name of said Association be changed to that of "The Boys' Home of Montreal," and that their act of incorporation be amended, and it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the ad-