

C A P . L V I I .

An act to enable the rector and churchwardens of Saint Jude's church, of the parish of Saint Jude, in the diocese of Montreal, to sell the said church and the property on which it is built and to erect a new church elsewhere.

[Assented to 28th December, 1876.]

WHEREAS the rector and church-wardens of Saint Jude's church, of the parish of Saint Jude, in the diocese of Montreal, have, by their petition, set forth : Preamble.

That by deed of sale made and executed on the sixteenth day of January, eighteen hundred and seventy-three before R. Beaufield, notary public, the Very Reverend William Bond, dean of Montreal, bargained, sold, assigned, transferred, and made over to the Reverend James Gilbert Baylis, the incumbent, and William Burket and Thomas James Bedford, the churchwardens of the said Saint Jude's church, present and accepting thereof, and their successors in office, that certain piece and parcel of land, situate, lying and being in the parish of Montreal, known as building lots numbers seventy-eight and seventy-nine on a certain plan of the property of William Workman, and Alexander Maurice Delisle, made by A. N. Perrault, sworn land surveyor, deposited of record in the office of T. Doucet, notary, by *Acte de Dépôt*, dated the twenty-eighth of March, 1864, and measuring sixty feet in front by eighty-four feet in depth, more or less, the whole English measure, and bounded in front to the north-west by Workman street, in rear to the south east by property belonging to various proprietors, on one side to the north-east by Vinet street and on the other side to the south-west by lot seventy-seven on said plan, with a building erected thereon, known as Saint Jude's church, with all and every the members and appurtenances thereto belonging, a special condition of said deed being that said building lots and premises should be held and used in perpetuity for the sole use and purposes of a church or school-room in connection with the United Church of England and Ireland ;

That the said church has, at all times, been devoted to the performance of divine worship according to the rites and ceremonies of said church ;

That the said lots of land so conveyed and granted as aforesaid are presently known and designated as numbers six hundred and one, and six hundred and two on the

official plan and in the book of reference of the parish of Montreal ;

That in the judgment of said petitioners and of the members of said Saint Jude's church, it is expedient to sell the said lot of land and the church thereon erected, and apply the proceeds of such sale towards the erection of a church to be also called Saint Jude's church, on the lots of land hereinafter mentioned, to wit : subdivision four of lot number three hundred and eighty-six " ; subdivision two of lot number three hundred and ninety-eight ; subdivisions numbers one and two of lot number three hundred and ninety-nine ; subdivisions one and two of lot number four hundred ; subdivisions one and two of lot number four hundred and one ; subdivisions one and two of lot number four hundred and two ; subdivisions one, two and three of lot number four hundred and three ; subdivisions seven, eight, nine, ten, eleven, twelve and thirteen of lot number four hundred and three *a* ; subdivisions two, three, four, five, six and seven of lot number four hundred and four ; subdivision two of lot number three hundred and ninety-seven ; subdivision one of lot number three hundred and ninety-eight ; and subdivision six of lot number four hundred and three *a*, on the official plan and in the book of reference of the municipality of the parish of Montreal, duly conveyed to the said rector and church wardens of Saint Jude's church, under and by virtue of a deed of sale made and executed by M. C. J. Coursol, Esquire, of the said city of Montreal, on the thirty-first day of May, eighteen hundred and seventy-six, before D. E. Papineau, notary public ; and whereas it is expedient to grant the prayer of said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Authorized to
sell.

1. The said rector and church-wardens of said Saint Jude's church, and their successors in office are hereby authorized, by and with the consent of the Lord Bishop of Montreal, to sell the said lots of land numbered six hundred and eighty-one and six hundred and eighty-two on the official plan and in the book of reference of the municipality of the parish of Montreal, and the church presently erected thereon, and called and known as Saint Jude's church, and other appurtenances thereunto belonging, either at public auction, or by private sale, for cash, or on credit, or part cash and part credit, secured in such manner as to the said rector and church-wardens and their successors shall seem meet, and as they may deem most advisable, and to execute and convey an absolute title thereto to the purchaser or purchasers thereof, and

Mode.

to receive payment of the purchase money and grant all necessary acquittances and discharges therefor.

2. The purchase money to be derived from the said sale shall be applied by the said rector and church-wardens, and their successors in office, towards the erection of a church to be also called Saint Jude's church on the said lots of land, namely subdivision four of lot number three hundred and eighty-six *a* ; subdivision two of lot number three hundred and ninety-eight ; subdivisions one and two of lot number three hundred and ninety-nine ; subdivisions one and two of lot number four hundred ; subdivisions one and two of lot number four hundred and one ; subdivisions one and two of lot number four hundred and two ; subdivisions one, two and three, of lot number four hundred and three ; subdivisions seven, eight, nine, ten, eleven, twelve and thirteen, of lot number four hundred and three *a* ; subdivisions two, three, four, five, six and seven, of lot number four hundred and four ; subdivision two of lot number three hundred and ninety-seven ; subdivision one of lot number three hundred and ninety-eight, and subdivision six of lot number four hundred and three *a*, on the official plan and in the book of reference of the municipality of the parish of Montreal ; but no person or persons, body or bodies politic, who shall purchase the said lots numbers six hundred and eighty-one and six hundred and eighty-two and the said church thereon and other appurtenances, shall be in any way bound to see to the application, or be answerable for the non-application, of the said purchase money or any part thereof.

Purchase
money how
applied.

3 The said property so acquired for the purposes of erecting a new church, as also the church and other buildings to be thereon erected, shall be vested in the said rector and church-wardens of Saint Jude's church, and their successors in office in trust for the uses and purposes ecclesiastical of the said parish of Saint Jude.

Administra-
tors.