

ecclesiastical corporation of St. Michel, contains a provision to the effect that such corporation shall be composed of ecclesiastics attached to the dioceses of Quebec and Three-Rivers, and whereas, since the passing of the said act, the new diocese of St. Germain de Rimouski, comprising a portion of the former diocese of Quebec, has been erected, and doubts have arisen respecting the meaning and application of the said provision, and whereas it is expedient to remove such doubts ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows :

1. According to the true meaning and intent of the provision set forth in the preamble of this act, the said society could always hitherto be, and may still be, composed of ecclesiastics residing in the territory included in the dioceses of Quebec and Three-Rivers, as these dioceses existed at the time of the passing of the aforesaid act sixteenth Victoria aforesaid, and all the members of the roman catholic clergy of the new diocese of St. Germain de Rimouski who are now affiliated members of the said ecclesiastical society of St. Michel, or such as may hereafter become affiliated members thereof, enjoy and shall enjoy the same rights and privileges, as those possessed under the said act by the members of the catholic clergy of the dioceses of Quebec and Three-Rivers, provided that they conform themselves to the rules and regulations of the society.

16 V. c. 263.
Creation of certain new dioceses does not affect the society.

2. The members of the catholic clergy of any other diocese, which may hereafter be erected within the limits of the territory now actually included in the dioceses of Quebec, Three-Rivers and St. Germain de Rimouski, who, after such new erection, are, or who thereafter shall become, affiliated members of the said ecclesiastical society of St. Michel, shall also enjoy all the rights and privileges set forth in the preceding section ; provided also that they conform themselves to the rules and regulations of the said society.

Clergy of future dioceses within certain limits to have benefit of preceding section.

C A P . L X X V .

An Act to authorize the Rector of the Parish of Montreal, and the incumbent and church-wardens, for the time being, of St. George's church in the city of Montreal, to sell or hypothecate certain real estate, to said church belonging.

[Assented to 5th April, 1869.]

WHEREAS the very reverend John Bethune, rector of the parish of Montreal, and the incumbent and

Preamble.

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church-wardens of St. George's church in the city of Montreal, have by petition, represented : That the rector of the parish of Montreal, in his said capacity, is seized and possessed in trust for the proprietors of St. George's church in the said city of Montreal of certain real estate in the said city, situated on the corner of St. Joseph street and St. Michael's lane, measuring in front about one hundred and ten feet, English measure, on St. Joseph street aforesaid, and one hundred and fifty feet, said measure, in depth on St. Michael's lane aforesaid, whereon are erected the church known as St. George's church, and other buildings ;

That owing to the great increase in the number of members of the said church, it has been found necessary to acquire a new site for the erection of a church to afford increased accommodation to the members and pew-holders of said church, and accordingly a piece of land has been secured for that purpose, situated at the corner of St. François de Salles and St. Janvier streets in the said city of Montreal ;

That it is the interest of the members of the said church, that the property situated in St. Joseph street aforesaid, with the church and buildings thereon, should be sold, and the proceeds thereof applied towards the payment of the price of the property situated on St. François de Salles street aforesaid, and the expense of erecting a new church thereon ;

That with a view of carrying out these objects, a special meeting of the proprietors of the said church, after due notice given, was duly convened for, and held on the seventeenth day of August last past, at which it was resolved that they be authorized to petition for an act to authorize them to sell and dispose of the said property on St. Joseph street aforesaid, with the church and other buildings thereon, and to give and execute a good and valid title thereto, to the purchaser or purchasers, and to apply the proceeds for the purposes hereinbefore indicated ;

That, in the event of an advantageous sale not being made of the aforesaid property, or in the event of any delay ensuing in the disposal of it, they are also desirous of being authorized to borrow money upon mortgage to be given on the aforesaid property in St. Joseph street, to enable them to meet the expenditure, or a portion thereof, to be incurred in the erection of the new church as aforesaid ; and to effect such loan upon such terms and for such period of time as they may deem expedient, with power to give and execute a good and valid mortgage and hypothecation upon the said real estate and property in St. Joseph street and the church and buildings thereon erected, as also if necessary, upon the property situated

in St. François de Salles street, and church to be erected thereon;

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, enact as follows:

1. The rector of the parish of Montreal and the incumbent and church-wardens of St. George's church in the city of Montreal, for the time being, may sell to any person, the whole or any part or portion of the land and property hereinbefore mentioned, which may be described as follows, to wit: "A certain piece of land forming the corner of St. Joseph street and St. Michael's lane, in the city of Montreal, measuring in front on St. Joseph street one hundred and nine feet nine inches English measure, by a depth of one hundred and forty-eight feet and one inch English measure, on St. Michael's lane, and by a depth of one hundred and forty-seven feet and ten inches English measure, on the line separating the said piece of land from the property of Walter Benny, together with the full depth in rear, along the line now existing separating the said piece of land from the property of one Caverhill, with a church and other buildings thereon erected," as the whole is shown by a plan of the said property, drawn by Joseph Rielle, provincial land surveyor, dated at Montreal the eleventh day of September, one thousand eight hundred and sixty-eight, for such price as they may deem most advantageous, and on such terms of payment as may be agreed upon; and may execute all needful deeds of sale and conveyance as to them may seem meet, and may stipulate for, and hold a mortgage of *bailleur de fonds*, for the whole or any portion of the purchase money of the aforesaid land and property, or any portion thereof, that may be included in such deed or deeds of sale and conveyance they may execute; the purchase money accruing on such sale or sales shall be applied in payment of the purchase money of the property so acquired on St. François de Salles street, or any portion thereof, and in the erection of a new church thereon.

Power to sell certain property;

And apply proceeds to purchase of a certain other property.

2. The rector of the parish of Montreal and the incumbent and church-wardens aforesaid for the time being, 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 erecting a new church on the property situated on St. François de Salles street as aforesaid; and for securing the repayment of the sum or sums so borrowed, may hypothecate the land and property on St. Joseph street hereinbefore described with the church and other build-

Power to hypothecate the property now held or the property to be acquired.

ings thereon, and also if necessary the property in St. François de Salles street and church and buildings to be erected thereon; and in default of due payment of any sum for securing which the said land and property, church and buildings respectively shall be hypothecated as aforesaid, the same may be seized in execution, in satisfaction of any judgment obtained for such sum or sums of money so borrowed, and 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 land, property, church and buildings respectively or any portion thereof may have been set apart, consecrated and used for public worship, any law, usage or custom, to the contrary notwithstanding.

Persons paying or lending money need not see to application thereof.

§ 3. No person paying or lending any sum of money either as the price of the sale or as a loan to such rector of the parish of Montreal, the incumbent and church-wardens for the time being, of the said St. George's church, shall be required to see to the proper application of the said sum or sums of money as may be so paid or loaned.

C A P. L X X V I .

An Act to amend the Act of the late Parliament of Canada, intituled : An act to incorporate the Board for the management of the Temporalities fund of the Presbyterian Church of Canada, in connection with the Church of Scotland."

[Assented to 5th April, 1869.]

Preamble.

WHEREAS, by petition, it hath been represented that the act of the late Parliament of the province of Canada, passed in the 22nd year of Her Majesty's Reign, and intituled : " An act to incorporate the board for the management of the temporalities fund of the presbyterian church of Canada, in connection with the church of Scotland," requires to be amended in such wise as to define the classes of security in which the said Board may invest their funds; and it is expedient so to amend the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Power to invest funds in certain stock or hypothees.

1. The board for the management of the temporalities fund of the presbyterian church of Canada, in connection with the church of Scotland, may invest their funds in any stock or bonds of the province of Quebec, or Ontario, or of the Dominion of Canada, or in the stock or bonds of any city or municipal or other corporation in the said provinces

