

Laws of His Majesty's Province of Upper Canada, passed in the year 1857. Toronto: Stewart Derbishire & George Desbarats, 1857.

20 Victoria – Chapter 193

An Act to authorize the Trustees of the Presbyterian Society of Hamilton to sell and convey certain Church property held by them. Assented to 27th May, 1857.

Whereas Calvin McQuesten, James P. Dickerman, and James Osborne, the present Trustees of the Hamilton Presbyterian Society, have, by their Petition to the Legislature represented, that by a Deed of Conveyance made in pursuance of an Act of the Parliament of the late Province of Upper Canada, passed in the ninth year of the reign of His late Majesty King George the Fourth, intituled, *An Act for the relief of the Religions Societies therein named*, and bearing date the fifth day of August in the year of our Lord one thousand eight hundred and thirty-three, one Nathaniel Hughson, of the then Town and now City of Hamilton, in the County of Wentworth, did convey to Francis Leonard, John Binkley, and Lucius Winchester, as Trustees for the Religious Congregation or Society of Presbyterians commonly called the "Hamilton Presbyterian Society," a certain piece of land known as Town Lot number Nine in the third range of the then Town of Hamilton, now City of Hamilton, for the site of a Church for the use of the said Congregation, which Lot is bounded on the east side by Mountain Street, and contains about one quarter of an acre of land, and that subsequently a Church was built thereon and used by the said congregation as a house of worship, until the year one thousand eight hundred and thirty-eight, during which year many of the members of the said congregation removed from this country and those who remained united themselves to other Presbyterian Congregations in the then Town of Hamilton; and further, that the said site is not well adapted for the purpose for which it was obtained, and is not required therefor; And whereas the said Petitioners represent that they are desirous to sell and dispose of the said lands and to apply the proceeds towards the payment of the expense of erecting the McNab Street Presbyterian Church, now being built on the corner of McNab and Hunter Streets, in the City of Hamilton, for the use of the Congregation thereof, and have prayed to be authorized so to do: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

- I. It shall and may be lawful for the said Trustees of the said Hamilton Presbyterian Society or their successors in office or a majority of them, to sell, alienate and convey in fee simple by a good and sufficient title or titles, under their hands and seals, all or any portion of the said Lot. of ground described in the Preamble of this Act, and to apply the proceeds thereof towards the payment of the expense of erecting the said McNab Street Presbyterian Church.
- II. The purchaser or purchasers of the said lands shall not be required to see to the proper application of the money paid by him or them for the same, and the receipt of the said Trustees for the time being, or a majority of them, shall be a valid discharge to such purchaser or purchasers.
- III. No conveyance under this Act shall affect the rights of any party claiming adversely to the title of the said Nathaniel Hughson, or holding any lawful incumbrance on the said piece of land.

IV. This Act shall be deemed a Public Act.