

three fourths in value of the then existing Members, to be ascertained in the manner hereinafter specified, and for the purpose of ascertaining the votes of such three fourths in value, every Member shall be entitled to one vote, and an additional vote for every five years that he may have been a member, and in case of dissolution the intended appropriation or division of the funds or other property of the said Society, shall be fairly and distinctly stated in the proposed plan of dissolution, prior to such consent being given; and the division or distribution of the stock or funds, or any part thereof, shall be in strict accordance with the general intents and purposes of the said Society.

by votes of
three fourths
of Members.

IX. This Act shall be held to be a Public Act.

Public Act.

C A P . L X V .

An Act to enable the Trustees and Members of Zion Church in Montreal, to alienate and hypothecate certain property of the said Church, and for other purposes.

[Assented to 18th December, 1854.]

WHEREAS the Trustees and Members of Zion Church, in the City of Montreal, have by their Petition to the Legislature represented, that they have disposed of certain real property, upon which their former Church was erected, and have acquired other property and erected a new Church thereon, in place of their former Church, but cannot legally perfect the conveyance of their former property, nor hypothecate their present property for security of advances made for the same; and that they are moreover desirous to borrow a sum of money for the re-payment of the same advances and the completion of their present Church, and to dispose of the same, and purchase other more convenient property for the same purpose if required, and it is expedient to grant the prayer of the said Petition: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows:

Preamble.

I. The Reverend Henry Wilkes, D. D., Pastor of the said Church, and Thomas M. Taylor, John Leeming, Alexander F. Sabine, David Lewis, William Rodden, Alfred Savage and Henry Lyman, all of Montreal, Trustees of the said Church, and Henry Vennor, John Dougall, Charles Alexander, John Wood, J. W. Howes, John Birks, Sibley Forester, James C. Beers, also

Who shall be
Members of
the Church
for the pur-
poses of this
Act.

also of Montreal, and such other persons as are now members of Zion Church, together with such persons as shall become members of the said Church, according to its rules of government, shall be for all the purposes of this Act, held to be members of said Church: the certificate of the Pastor of the Church, for the time being, to be held to be legal proof of such membership.

Trustees being thereunto authorized by a vote of the Members of the Church, may make or confirm a Deed of Alienation of certain property.

2 V. c. 26.

II. Whenever the said Thomas M. Taylor, John Leeming, Alexander F. Sabine, David Lewis, William Rodden, Alfred Savage and Henry Lyman, Trustees aforesaid of Zion Church, or their successors in office, appointed to act as such in accordance with the provisions of a certain Trust Deed, passed before Joseph Belle and Colleague, Notaries, on the thirteenth day of August, in the year of our Lord, one thousand eight hundred and forty-five, and insinuated in the Office of the Prothonotary of the District of Montreal, as provided by the Ordinance of the heretofore Province of Lower Canada, passed in the second year of Her Majesty's Reign, intituled, *An Ordinance to suspend an Act passed in the tenth and eleventh years of the Reign of His late Majesty George the Fourth, intituled, 'An Act for the relief of certain Religious Congregations therein mentioned,' and to make other Legislative provision in the place thereof,* shall be authorized by a vote of two thirds of the members of the said Church, in Church Meeting assembled, or by written authorization to that effect, (the certificate of the Pastor and Secretary of the Church, for the time being, to be held to be legal proof of such vote and authorization), it shall be lawful for the said Trustees, or their successors in office as aforesaid, to sell, alienate and convey, by good and sufficient title, or to ratify, confirm and give effect to any such title heretofore made by them, as fully and effectually as if the Trustees, for the time being, had been legally authorized thereto and therefor, to a certain emplacement situate, lying and being in the Saint Joseph Suburb, Montreal, bounded in front by Saint Maurice Street, on one side by the property of Charles Austin, on the rear by the heirs of the late Emery Cushing, and on one side by Longueuil Lane, together with a stone building thereon erected, formerly used as a place of Worship, and a brick addition or vestry thereto attached, together with all and every the members and appurtenances thereto belonging.

Being so authorized, they may borrow money and mortgage certain estate.

III. It shall be lawful for the said Trustees, or their successors in office, whenever authorized to that effect, by a vote of two thirds of the members of said Church, to borrow any sum or sums of money, not exceeding Three Thousand Pounds current money of the Province, for the use and relief of the said Church, and to give security by mortgage or hypothec on the real estate of the said Church, and to sign such Act or Deed of Mortgage, as such Trustees, which shall thereupon, to all intents and purposes, be a valid mortgage and security upon the said real estate.

IV.

IV. It shall be lawful for the said Trustees, or their successors in office, whenever duly authorized to that effect, by a vote of two thirds of the members of the said Church, to sell, alienate and convey, by a good and sufficient title, under their signatures, all or any part or portion of the real estate of the said Church, provided that the proceeds or avails of such sale shall be forthwith re-invested for the religious purposes of the said Church, and for the maintenance of the ordinances of Public Worship therein.

Being so authorized, they may sell certain other estate.

V. Nothing herein contained shall be construed to affect in any manner or way the rights of Her Majesty, Her Heirs or Successors, or of any person or persons, or of any body politic or corporate, such only excepted as are herein mentioned and provided for.

Rights of the Crown, &c., saved.

VI. This Act shall be deemed a Public Act.

Public Act.

C A P . L X V I .

An Act to enable the Reverend William Ritchie to sell and convey, or to demise, certain Lands held by him in trust.

[Assented to 18th December, 1854.]

WHEREAS before the intermarriage of Charles Sibbald, then of the Township of Georgina, in the Province of Upper Canada, Gentleman, and now of the Township of Whitechurch, in the County of York, in Upper Canada, with Isabella Robinson, then of the Township of East Gwillimbury, in Upper Canada, a certain lot of land, being lot number thirty-five in the second Concession of the Township of Whitechurch aforesaid, containing one hundred and ninety acres, more or less, and then being the property of the said Isabella Robinson, was, by Indenture made on the eighteenth day of December, in the year of our Lord one thousand eight hundred and thirty-nine, conveyed by the said Isabella Robinson in fee to Thomas Henderson, late of the Township of East Gwillimbury, Esquire, now deceased, and to the Reverend William Ritchie, of the said Township of Whitechurch, upon certain trusts, for the use and benefit of the said Charles Sibbald and Isabella his said intended wife and of the survivor of them, and after their decease for the benefit of the child or children of the said intended marriage, in such manner as by the said Indenture was settled and appointed; And whereas in the Deed of Settlement aforesaid, no provision was made for enabling the Trustees under any circumstances to alienate the said land or any part thereof, or to demise the same for any term of years; And whereas the said lot of land being immediately adjacent to one of the Depots of the Ontario, Simcoe and Huron Railway, it would greatly promote the objects of the said Trust, and would also be convenient to the public, if the surviving Trustee were empowered to dispose by sale of a part of the said lot

Preamble.

Recital.