

consent of the Legislative Council and Assembly of Canada, enacts as follows :

The said Trustees may sell the said lands or part of them, &c.

I. The said Trustees or their successors in office are hereby authorized to sell from time to time, by private contract or public sale, either for cash or on credit, the whole or such part or parts of the said lands as such Trustees may deem it necessary to sell, to raise a fund towards the erection of a Church in the said Town of Guelph for the use of the said congregation, and for the general purposes of the said Church, and such Trustees are hereby authorized to take security on real property for such portion or portions of the purchase money for the said lands as may remain unpaid at the time of such sale or sales being effected.

Application of the purchase money.

II. The said Trustees or their successors are hereby authorized to apply a portion of the purchase money arising from such sale or sales (such portion not to exceed two thousand five hundred pounds) towards the erection of a Church for the said congregation in the Town of Guelph; the balance of such purchase money the said Trustees or their successors are hereby authorized to invest in Government securities or securities on real property, (with power to the Trustees to call in and re-invest in the like securities) for the purpose of creating a fund for the support of the Minister of the said Church, and for the general purposes of the said Church.

Public Act.

III. This Act shall be deemed a Public Act.

C A P. C X C I I I .

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.]

Preamble.

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 Religious 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

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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.

Trustees empowered to sell the land mentioned in the Preamble.

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.

Purchaser not bound to see to trust.

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.

Conveyance not to affect claims of certain parties.

IV. This Act shall be deemed a Public Act.

Public Act.