

Laws of Her Majesty's Province of Upper Canada, passed in the year 1849. Montreal: Stewart Derbshire & George Desbarats, 1849.

12 Victoria – Chapter 139

An Act to authorize the Religious Community of the Sœurs Hospitalières de St. Joseph de l'Hôtel-Dieu de Montreal, to acquire and hold real and personal property to a certain amount, over and above that now held by them, as well for themselves as for the Poor of the Hôtel-Dieu, on whose behalf they administer certain Property, and for other purposes therein mentioned. 30th May, 1849.

Whereas the Superior, the Assistant, and the other Religious Ladies of the Community of the Religieuses Sœurs Hospitalières de St. Joseph de l'Hôtel-Dieu de Montréal, forming the Council of the said Community, have by their Petition to the Legislature prayed that the said Community may be empowered to acquire and hold, as well on their own behalf as on behalf of the Poor of the Hôtel-Dieu, the property whereof they have administered for more than a Century,—property to a certain amount over and above that which they now hold either on their own behalf or on that of the Poor, for whom they administer the same as aforesaid: And whereas by reason of the great utility of the said Institution, it is expedient to grant the prayer of the said Petitioners: Be it 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, That it shall be lawful for the Superior of the said Community and her Successors in office to acquire and take by donation, devise or otherwise, and to hold for the use of the said Community, by the name of the Religieuses Sœurs Hospitalières de St. Joseph de Hôtel-Dieu de Montreal, and also to acquire and take by donation, devise or otherwise, and to hold for the use of the Poor of the l'Hôtel-Dieu aforesaid, by the name of the Religieuses Sœurs Hospitalières de St. Joseph de l'Hôtel-Dieu de Montréal, Administratrices du bien des Pauvres du dit Hôtel-Dieu, and according to the Rules and Regulations of the said Institution, all and every kind of real property lying in Lower Canada, or *constituts* or *rentes foncières* secured upon such property, and all sums of money in the public funds of the United Kingdom, or secured by Debentures upon the public revenue of this Province, and all other kinds of property whatsoever,—so that the total fixed and permanent revenue arising from such property do not at any time exceed three thousand pounds currency per annum, over and above the fief St. Joseph, situate in the Parish of Montreal, in the possession of the said Community from time immemorial, the Land and Buildings held by the said Community in the City of Montreal, comprising their establishment, and a lot of Land situate at Côte à Baron in the said Parish of Montreal, known as Terre de la Providence, belonging to the said Community, and all other property in the possession of the said Community,—and so that the fixed and permanent revenue derived therefrom do not exceed in the whole five thousand pounds currency per annum, over and above the fiefs Nazareth and St. Augustin, held by the said Community for and on behalf of the Poor of the Hôtel-Dieu from time immemorial, a lot of land situate at Pointe St. Charles in the Parish of Montreal, near the Lachine Canal, known as Terre St. Augustin, and

another lot of land situate in the Parish of La Prairie de la Magdeleine, also held by the said Community for and on behalf of the said Poor, and all other property held by the said Community for and on behalf of the Poor aforesaid; and to sell and alienate the said property whether acquired before or after the passing of this Act, and whether held for their own use or for the use of the Poor, and to purchase and acquire in the stead and place thereof, any other property of what kind soever; provided the total yearly revenue of the property so acquired at any time by the said Community for their own use by virtue of this Act, shall not at any time exceed the said sum of three thousand pounds currency, and that the total yearly revenue of the property so acquired at any time by the said Community for the use of the Poor aforesaid by virtue of this Act, shall not at any time exceed the said sum of five thousand pounds currency; any thing in the laws commonly called the Laws of Mortmain, or in any other law or statute, to the contrary notwithstanding.

II. And be it enacted, That the said Community may at any time hereafter sue and be sued in or before any Court of Justice in this Province, by the name of Les Religieuses Sœurs Hospitalières de St. Joseph de l'Hôtel-Dieu de Montréal, with regard to all matters and things relating to or concerning the property or rights belonging to the said Community in their own behalf and for their own use; and by the same name with the addition of the words Administratrices da bien des Pauvres du dit Hôtel-Dieu, with regard to all matters and things relating to or concerning the property or rights now belonging or which may hereafter belong to the Poor of the Hôtel-Dieu aforesaid, or be held for their use; and that in all Deeds and Contracts which shall be hereafter passed by the said Community, whether on their own behalf or on behalf of the Poor of the Hôtel-Dieu, the Superior of the said Community then in office shall represent the said Community, and her signature alone shall be required to the said Deeds and Contracts.

III. And be it enacted, That the said Community shall and they are hereby required to render to the Governor General of this Province, when required so to do, a detailed statement of the real estate acquired by them under the authority of this Act, and the annual income thereof.

IV. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace and all others without being specially pleaded.