

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 65

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:

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 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.

II. Whenever the said Thomas M. Taylor, John Leeming, Alexander F. Sabine, David Lewis, William Hodden, 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 Religions 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 life said Church, in Church Meeting assembled, or by written authorization to

that died, (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 died, 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.

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. 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.

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.

VI. This Act shall be deemed a Public Act.