

presented by Dr. Warden, *Convener*. Mr. W. Mortimer Clark addressed the Court, dwelling on the advantages to be derived from said legislation, and moved, and it was duly seconded, and agreed to :

That the Assembly receive and adopt the report, and continue the committee, to secure such further legislation as may be required ; and that the Trustees elected by last Assembly be reappointed.

REPORT OF THE COMMITTEE ON CHURCH PROPERTY.

The Assembly called for the Report of the Committee on Church Property, which, in the absence of the *Convener*, Hon. Justice MacLennan, was presented by Dr. Warden, and is as follows :

1. The Committee on the Protection of Church Property to whom was referred the Petition of Mary Webber, of the City of Hamilton, widow, presented to the General Assembly on June 15th, 1899, having heard what was alleged by the Petitioner, who appeared personally before the Committee, and having considered the said Petition, beg leave to report as follows :

2. In the year 1890 the congregation of Waterford, within the Presbytery of Hamilton, being about to build a church, obtained from the Presbytery its sanction to raise money by mortgage. Thereupon a loan of a thousand dollars was obtained from the Petitioner, repayable, with interest, one-half in two and the remainder in five years, and the trustees of the congregation mortgaged the Church property to her by way of security.

3. The Petitioner appears not to have taken any personal bond, covenant, or other obligation for her debt from any responsible person, in addition to her mortgage.

4. In making the loan, the Petitioner had the advice and assistance of a firm of solicitors who had acted for her in other matters.

5. Interest was duly paid upon the mortgage for several years, but in eighteen hundred and ninety-seven the congregation became dissolved and extinct, and it is said that the security is now not worth more than one-third of the debt.

6. Under the circumstances the Petitioner appeals for relief to the General Assembly.

7. The special ground upon which she rests her appeal is that she made the loan upon the request, as she alleges, of a legal firm who are prominent members of the Presbyterian Church, and that she did not examine the property, being led to believe by one of the members of the firm that the borrowers, being a Presbyterian congregation, it was a choice investment and that there was not the remotest probability of the debt not being repaid.

8. The Petitioner does not impugn, but expressly admits, the honesty of her solicitor in so advising her.

9. Your Committee are of opinion that a very important and far-reaching principle is involved in the petition, namely, whether the Church at large, or the General Assembly, can or ought to assume responsibility for the due payment of congregational debts, and they are of opinion that it cannot and ought not to do so.

10. Under the circumstances of this case, your Committee are of opinion that the Petitioner's loss is due to the want of ordinary care and prudence in making her investment, and while sympathizing with her they are unable to see any substantial relief which it is in the power of the Assembly to afford her.

11. As it may save expense to the Petitioner in disposing of the property, your Committee recommend that the General Assembly pass a resolution authorizing and