



No. 40.

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1st Session, 6th Parliament, 21 Victoria, 1858.

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(PRIVATE BILL.)

**BILL.**

An Act to incorporate the Church Society of  
the Diocese of Huron, and for other pur-  
poses therewith connected.

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Received and read, first time, Monday, 12th  
April, 1858.

Second reading, Thursday, 15th April, 1858.

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MR. FOLEY.

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TORONTO:

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**An Act to incorporate the Church Society of the Diocese of Huron, and for other purposes therewith connected.**

**W**HEREAS by an Act passed in the seventh year of Her Majesty's Preamble.  
 Reign, and intituled, *An Act to incorporate the Church Societies of the United Church of England and Ireland in the Dioceses of Quebec and Toronto*, a corporation was created for the objects in the said Act mentioned in and for the Diocese of Toronto by the name of "*The Church Society of the Diocese of Toronto*," to consist of the Lord Bishop of the said Diocese, and other, the persons therein named and their successors; And whereas Her Majesty, by Her Royal Letters Patent, bearing date at Westminster, on the second day of October, in the twenty-first year  
 5 of Her Majesty's Reign, was pleased to divide the said Diocese of Toronto into two Dioceses, the one to be called the Diocese of Toronto, and the other the Diocese of Huron, in the manner and with the limits and boundaries in the said Letters Patent mentioned; and by reason of such division it hath become expedient to incorporate a Church Society,  
 10 in the Diocese of Huron; And whereas a Society for the said Diocese of Huron hath been recently formed and hath prayed that the members thereof and their successors may hereafter form a separate society, with the corporate name and rights, and subject to the provisions hereinafter mentioned: Therefore Her Majesty, &c., enacts as follows:

20 I. From and after the passing of this Act, there shall be and there is hereby constituted in and for the Church of England Diocese of Huron as now constituted, a corporation by the corporate name of "*The Church Society of the Diocese of Huron*," which shall have and is hereby invested with the like corporate rights, powers and privileges, as by the Act first  
 25 above cited are conferred upon the said Church Society of the Diocese of Toronto, and to the said corporation and to the members thereof, the several clauses and provisions of the said Act shall apply as fully as they would have applied to the said Church Society of the Diocese of Toronto and to the members thereof, previous to the division of the said Diocese  
 30 in so far as may not be inconsistent with this Act, and subject always to the provisions herein contained.

II. The Church Society of the Diocese of Huron hereby incorporated, shall be composed and consist of the Lord Bishop of the Diocese of Huron for the time being, and of those members of the Church Society  
 35 of the diocese of Toronto who shall, at the time of the passing of this Act, be resident within the diocese of Huron, unless and until it shall be otherwise provided by the By-laws of the said Church Society of the diocese of Huron, and of such other persons as shall, from time to time,

hereafter be elected members of the said Church Society, in manner provided by the Act aforesaid.

The Church Society of the diocese of Toronto may convey certain property to that for the diocese of Huron.

III. It shall be lawful for the Church Society of the diocese of Toronto to assign and convey to the Church Society of the diocese of Huron, such proportion as shall, by arbitration or otherwise, be mutually agreed upon by the two Corporations, of the real and personal property held by the Church Society of the diocese of Toronto, and that it shall be lawful for the said Church Society of the diocese of Toronto to assign and convey to the Church Society of the diocese of Huron any property, real or personal, of the said Church Society of the diocese of Toronto, held upon any trust or trusts which it shall appear to the said two Corporations can be more conveniently performed by the Church Society of the diocese of Huron, such assignment and conveyance being made upon the trusts to which the property is subject; and the liabilities of the said Church Society of the diocese of Toronto shall thereupon be discharged by the said Church Society of the diocese of Huron; Provided always, that no trust upon which any such property, real or personal, is held, shall be disturbed or affected, but shall be strictly observed and performed by the Corporation in which such property or the right thereto shall be vested.

Certain By-laws to apply to the said Society for the diocese of Huron, until, &c.

IV. The by-laws of the said Church Society of the diocese of Toronto, in force immediately before the passing of this Act, shall, in so far as they may be capable of such application, and consistent with the provisions of this Act, be the by-laws of the Church Society of the diocese of Huron hereby constituted until they shall be repealed or altered in the manner provided by the Act first aforesaid; Provided always, that the Lord Bishop of the diocese of Huron shall be President of such Corporation, and shall have full power to sanction and confirm any constitution, by-law, rule or regulation of such Corporation, or any abrogation, repeal, change or alteration of the same.

Endowments of Churches may be divided by the Society in certain cases.

V. It shall be lawful for the Church Society of the diocese of Huron, by any by-law for that purpose, to divide or appropriate from time to time the endowment of any church in the diocese of Huron, for the purpose of endowing and maintaining any other church or churches in the same, whenever the revenues of any church, being vacant at the time of such division or appropriation, shall exceed the annual amount which the said Church Society of the diocese of Huron shall deem a reasonable maintenance for such church.

Saving of Her Majesty's rights, &c.

VI. 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.

Public Act.

VII. This Act shall be deemed a public Act.