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2nd Session, 6th Parliament, 22 Victoria, 1859.

(PRIVATE BILL.)

BILL.

An Act to enable the Rector of the Protestant Parish of Montreal, with the consent of the Bishop of his Diocese, to raise a loan on certain Church property for the purpose of finishing the Parish Church.

Received and read, first time, Monday, 28th
February, 1859.

Second reading, Tuesday, 1st March, 1859.

HON. MR. ROSE.

An Act to enable the Rector of the Protestant Parish of Montreal, with the consent of the Bishop and Church Wardens, to raise a loan on certain Church property for the purpose of finishing the Parish Church.

WHEREAS the Very Reverend John Bethune, Doctor of Divinity, Dean of Montreal, and Rector of the Parsonage or Rectory and Parish Church of Montreal, hath by his Petition to the Legislature represented, that the former Parochial Church of the said Parish having been consumed by fire, and the site thereof having been thereafter sold, he the said Very Reverend John Bethune, in his capacity aforesaid, hath purchased the lot of ground hereinafter mentioned and described as a site for building a new Parochial or Parish Church of the said Parish, and such new Church hath in great part been built thereon, but cannot for want of sufficient funds be completed; and the Petitioner hath prayed for authority to raise a loan for the purpose of completing the said Church, on the security of the said lot of ground and of the Church and buildings thereon, which prayer it is expedient to grant: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. It shall be lawful for the said Very Reverend John Bethune, or his successor or successors in office, as the Rector of the Parsonage or Rectory and Parish Church of Montreal, with the consent of the Bishop of the Protestant Diocese of Montreal for the time being, and of the Church Wardens of the said Parish, for the time being, to borrow a sum or sums not exceeding in the whole ten thousand pounds, currency, from such party or parties as may be willing to lend the same, and at such rate of interest and on such terms and conditions as may be agreed upon,—for the purpose of completing the said New Parochial Church of the said Parish,—and for securing the repayment of the sum so borrowed, to hypothecate, with the consent aforesaid, the lot of ground hereinafter described, with the Church and other buildings thereon, all which are now vested in the said very Reverend John Bethune and his successors in his office aforesaid; that is to say: All that lot of ground situate, lying and being in the said City of Montreal, and forming one block bounded as follows: to the north-east by Union Avenue, to the south-east by St. Catherine street, to the south-west by University street, and on the north-west by the property of the Lord Bishop of Montreal aforesaid, and containing, the said block, two hundred and eighty-one feet in width on Union Avenue and a like width on University street, by one hundred and ninety-eight feet in depth on St. Catherine street from Union Avenue to

The Rector with the consent, &c.,— may raise money on the security of certain church property.

In default of payment the said lot may be sold in execution, &c.

University street, and one hundred and ninety-five feet ten inches from the same to the same at the rear or north-west end, the whole English measure,—and in default of due payment of any sum for securing which the said lot of land, Church and buildings shall be hypothecated as aforesaid, the said land, 5 church and buildings may be seized in execution, sold by the Sheriff, and adjudged, and shall belong to and may be dealt with by the purchaser (or *adjudicataire*) in like manner as any other real property seized and sold in execution, and notwithstanding the said Church and premises may have been 10 set apart, consecrated and used for Public Worship—any law, usage or custom to the contrary notwithstanding.

Public Act.

2. This Act shall be deemed a Public Act.