

NATIONAL ASSEMBLY OF QUÉBEC
Thirty-first Legislature, Sixth session

1981, chapter 39

**AN ACT RESPECTING AN IMMOVEABLE
OF ST ANDREW'S UNITED CHURCH OF LACHINE**

Bill No. 258

Introduced by Mr Noël Saint-Germain

First reading: 18 December 1980

Second reading: 10 March 1981

Third reading: 10 March 1981

Assented to: 11 March 1981

Coming into force: 11 March 1981

Act amended: None



CHAPTER 39

An Act respecting an immoveable of St Andrew's United Church of Lachine

[Assented to 11 March 1981]

Preamble. WHEREAS Robert Grant and James Charles Grant gave, on 7 April 1832, to James Sommerville and others, representing the members of the Scotch Presbyterian Church in the Parish of Lachine, a piece of land situated in the parish of Lachine presently known as lot 468 of the cadastre of the town of Lachine;

Whereas the donors gave that land for the following purposes and subject to the following conditions and restrictions:

“In consideration . . . that the said lot, piece or track of land shall be appropriated to the use of the said Congregation of the said Scotch Presbyterian Church in the said Parish of Lachine and their successors for ever: that a Church shall be built thereon . . . and such part of the said lot, piece or track of land, as shall not be occupied or covered by the said Church, shall be used as a burying ground”;

Whereas, subsequently, in the last century, a church was erected in compliance with the requirements of the gift, as well as a rectory, owned in full ownership by the Church concerned;

Whereas part of the land was once used as a cemetery which is now abandoned;

Whereas the Congregation wishes to sell the rectory, its appurtenances and possibly the land being the object of the gift;

Whereas it is in the interest of the Congregation that the conditions of the deed of gift of 1832 be struck out so that it may grant clear and undisputable title to any prospective acquirer of the immoveable referred to in that deed;

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

Conditions
revoked.

1. The charges, conditions, obligations and prohibitions that might limit the use of the immovable being the object of the deed of gift made on 7 April 1832 before J.P. Grant, notary, under number 316 of his minutes between Robert Grant and James Charles Grant on the one hand, and James Sommerville and others, acting on behalf of the Congregation of the Scotch Presbyterian Church of the Parish of Lachine on the other hand, and registered in the office of the registration division of Montréal on 5 February 1981 under number 3146247, are cancelled and extinguished.

Immovable
concerned.

The immovable that was the object of the deed of gift referred to in the first paragraph is now known as lot number 468 of the cadastre of the town of Lachine.

Personal
claim.

2. If there is any person, firm or corporation who or which, were it not for section 1, would be entitled to claim at law any right of ownership to the whole or any part of that immovable, that claim is converted into a personal claim against the St Andrew's United Church of Lachine, for an amount equal to the value of such right of ownership computed as on the date of the sanction of this Act. Any such claim is prescribed by ten years from the coming into force of this Act unless, were it not for this Act, the claim would be prescribed on a later date; in that case, it is prescribed on that date. The claim does not constitute a real right nor a charge or hypothec respecting these immovables or any of their parts.

Coming
into force.

3. This Act comes into force on the day of its sanction.