

as any other Body Corporate, or as any other person may or can in Law or Equity sue or be sued, implead or be impleaded, answer or be answered unto in any manner whatsoever.

II. And be it enacted, That it shall be lawful for any person or persons within the said Diocese of the said Roman Catholic Bishop of New Brunswick, in whom or in whose name or names any Lands, Tenements and Hereditaments situate, lying and being within the Province of New Brunswick, are now or shall or may be hereafter vested in trust or otherwise, for the benefit of the said Roman Catholic Church in the said Diocese from time to time, to convey, assign or transfer by Deed under his hand and seal or their hands or seals, in the usual legal way, all or any of the said Lands, Tenements and Hereditaments unto the Bishop for the time being of the Diocese, by his Corporate name aforesaid, to be holden by the said Bishop and his Successor and Successors in his said Corporate name aforesaid, as provided by this Act.

III. And be it enacted, That it shall not be lawful for the said Bishop, or for his Successor or Successors, for the time being, to make or execute any deed, conveyance, lease or assignment of the whole or any part of the Lands, Tenements and Hereditaments acquired or held, or to be hereafter acquired by him, under and by virtue of this Act, without the consent in writing of his Coadjutor and senior Vicar General, or in case the said Coadjutor or Vicar General or either of them shall be incapacitated by sickness, infirmity, or any other cause, or shall happen to be necessarily absent at the time, then of two Clergymen to be selected or named by the Roman Catholic Bishop of the Diocese; such selection or nomination, and such consent, to appear upon the face of the Deed or other instrument in writing intended to be executed by the parties, and to be testified by the said Bishop and Coadjutor, and senior Vicar General, or such two Clergymen as aforesaid, being made parties to and signing and sealing all the deeds, conveyances, leases, assignments or other instruments, in the presence of two credible witnesses as consenting parties thereto respectively.

IV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend in any manner to confer any spiritual jurisdiction or ecclesiastical right whatsoever upon the said Roman Catholic Bishop hereinbefore mentioned, or upon his successor or successors, or other ecclesiastical person of the said Church in communion with the Church of Rome aforesaid.

V. And be it enacted, That in case the said Roman Catholic Bishop, or his successor or successors, shall from sickness, infirmity, or any other cause, become incapable or be incapacitated to perform his duties in his Diocese, then his Coadjutor or the person administering the Diocese, shall have the same powers as are by this Act conferred upon the Roman Catholic Bishop of the said Diocese.

VI. And be it enacted, That nothing herein contained shall affect or 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 hereinbefore mentioned and provided for.

VII. And be it enacted, That this Act shall not come in force or be in operation until Her Majesty's Royal approbation be thereunto had and declared.

LEGISLATIVE COUNCIL CHAMBER,
10th April, 1845.

RESOLVED, That the further consideration of the above Bill be postponed until the next Session of the General Assembly.

ORDERED, That the same be printed in the Royal Gazette.

WM. TYNG PETERS, Clerk.

A Bill assented to, in Her Majesty's name, by His Excellency the Governor General, at Montreal, on 29th March, 1845, entitled—

An Act to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each Diocese.

WHEREAS the Right Reverend Michael Power, Roman Catholic Bishop of Toronto, and the Right Reverend Patrick Phelan, Roman Catholic Bishop of Carthage, and Administrator of the Diocese of Kingston, in this Province, have petitioned this Parliament to pass an Act incorporating the Roman Catholic Bishops of Kingston and Toronto, severally, and enabling each to hold and acquire Real Estate in this Province, for religious purposes: And whereas it is expedient to comply with the prayer of the said Petition;

I. Be it therefore enacted, &c., That from and after the passing of this Act, the said Michael Power, and his Successor and Successors, being Bishop of Toronto aforesaid, in communion with the Church of Rome, and Remigius Gaulin, and his Successor and Successors, being Bishop of Kingston aforesaid, in communion with the Church of Rome, shall be, and are hereby declared to be, each respectively, a Body Corporate in his respective Diocese aforesaid, in deed and in name, the said Michael Power and his Successor and Successors for the time being, by the name of 'The Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada,' and the Reverend Remigius Gaulin, and his Successor or Successors for the time being, by the name of 'The Roman Catholic Episcopal Corporation of the Diocese of Kingston, in Canada,' and that each of them and his Successors as aforesaid, shall by his separate name as aforesaid, have perpetual succession and a Common Seal, and shall have power from time to time, (by and with the advice of his Coadjutor and senior Vicar General, or of two Clergymen for the time being, as hereinafter mentioned,) to alter and renew or change such Common Seal at pleasure, and shall respectively by his respective name as aforesaid, from time to time, and at all times hereafter, be able and capable to have, hold, purchase, acquire, possess and enjoy, for the general use or uses eleemosynary, ecclesiastical or educational of the said Church, or of the religious community, or of any portion of the same community, within his Diocese, any Lands, Tenements or Hereditaments within the Province of Canada, and the same Real Estate, or any part thereof, from time to time (by and with the advice and consent hereafter mentioned,) to sell or exchange, alienate, let, demise, lease, or otherwise dispose of, and in case of sale to purchase other Real Estate, in lieu of that sold, with the proceeds or purchase money arising from such sale; and to hold and enjoy such newly purchased or exchanged Estate or Estates for the religious, eleemosynary, ecclesiastical or educational purposes aforesaid, or any or either of them, and by the same name respectively, each of the said Bishops, and his Successor and Successors, shall and may be able and capable in Law to sue and be sued, implead and be impleaded, answer and be answered, in all Courts of Law and Equity, and places whatsoever, in as large, ample, and beneficial a manner as any other Body Corporate, or as any other person may or can in Law or Equity sue or be sued, implead or be impleaded, answer or be answered unto, in any manner whatsoever.

II. And be it enacted, That the soil and freehold, as well as the fee of all Lands, Tenements, and Hereditaments, and of all Burial Grounds and Churches and Chapels now belonging to and used, held, occupied, possessed or enjoyed by the said Michael Power, or his Church, in communion with the Church of Rome as aforesaid, and of all Churches and Chapels now being erected, or to be hereafter erected, in his Diocese, shall be and are hereby declared to be vested in him and his Successor and Successors, for the time being, for the purposes aforesaid; and that the soil and freehold, as well as the fee of all Lands, Tenements, and Heredita-