



CHAPTER 122

An Act to exempt a certain part of the parish of *St. Jean de la Croix* from assessment

[Assented to, the 12th of April, 1938]

WHEREAS certain Roman Catholic owners of land and Preamble.
other immoveables formerly of St. Edward parish and now of St. Jean de la Croix parish, at Montreal, have represented that under a canonical decree dated the 28th of March, 1934, His Excellence Monseigneur Georges Gauthier, Coadjutor Archbishop of Montreal, detached from the parish of St. Edward, to annex to the parish of *St. Jean de la Croix*, a territory which included their properties, bounded by the centre of Drolet street between Mozart and St. Zotique streets, by the centre of St. Zotique street from Drolet to Alma streets, by the centre of Alma street between St. Zotique and Beaubien streets, by the centre of Beaubien street from Alma street to the present boundaries of the parish of St. Edward;

That the said owners living in the said territory, in their petition addressed to the Archbishop of Montreal, requested the annexation of their territory to the parish of *St. Jean de la Croix*, relying upon an undertaking in honour binding and a promise that they would not be subject to any lawful apportionment which might be imposed in the said parish, seeing that in their parish they had contributed towards the construction of their church and would have no apportionment to pay; that in fact at a meeting of the former and new churchwardens of the parish of *St. Jean de la Croix*, held on the 11th of March, 1934, with a view to facilitate the addition to the said parish of a part of the parishes of St. Edward and Ste. Cécile, a wish or resolution to this effect was unanimously adopted;

That at a parish meeting held on the 20th of May, 1935, the *fabrique* of the said parish was authorized by the freeholders to apply to the commissioners for the purposes of

the Parish and *Fabrique* Act, in the diocese of Montreal, for permission to impose and levy, on the immoveables belonging to Roman Catholics, a sufficient lawful assessment to pay off, in a period not exceeding forty years, the principal and interest of a sum of two hundred and ninety-six thousand two hundred and fifty dollars, representing the debt incurred by the *fabrique* for the completion of its church, through its impossibility to pay such debt with its revenues, and as the provisions of common law prevent the commissioners from exempting from the assessment the part of territory detached from the parish of St. Edward;

Therefore the Roman Catholic owners of the above described territory have prayed that a special act be passed granting them the exemption from any levy by way of church or *fabrique* apportionment or assessment and specially from that imposed consequent upon the meeting of the said parish on the 20th of May, 1935; and

Whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows: and

Exempting of
certain im-
moveables
from certain
assessment.

1. The immoveables belonging to Roman Catholics and situated in that part of the city of Montreal annexed to the parish of *St. Jean de la Croix* under a canonical decree dated the 28th of March, 1934, and which extends from the old limits of the parish of *St. Jean de la Croix* to the following limits: the centre of Drolet street from St. Zotique street to Mozart street, the centre of St. Zotique street from Drolet street to Alma street, the centre of Alma street from St. Zotique street to Beaubien street, are exempted, for fifteen years only from the date of the imposition, from any assessment imposed for the payment of the debt of the *fabrique* of *St. Jean de la Croix* and especially from that imposed consequent upon the parochial meeting of the 20th of May, 1935, with retroactive effect to the date of the said imposition.

Costs, etc.,
of act.

2. The costs, disbursements and fees incurred for the passing of this act shall be borne and must be paid by the Roman Catholic owners of immoveables situated in the above-described territory, each in proportion to the value of his immoveable.

Coming into
force.

3. This act shall come into force on the day of its sanction.