



## CHAPTER 145

An Act to amend the act respecting the church of the parish of St. Clément

[Assented to, the 19th of February, 1932]

**W**HEREAS the *curé* and churchwardens of l'Œuvre et Preamble.  
*fabrique* of the parish of St. Clément have, by their  
petition, represented:

That they were authorized by the act 2 George V, chapter 124, as amended by the act 4 George V, chapter 143, to enlarge the church and sacristy of the said parish or to build larger ones; that for such object a special board was formed consisting of the *curé*, the former churchwardens and churchwardens in office and of three associates elected by the freeholders, which special board was charged to prepare plans and estimates, award contracts, supervise the works and to borrow a sum not to exceed two hundred and twenty-five thousand dollars for a period not to exceed fifty years, to consolidate the debt of the *fabrique* and to pay the cost of the construction work;

That the said act decreed that in order to meet the interest and the sinking-fund or annuities of the loans contracted by the special board, the *fabrique* was to use the excess of its receipts over expenditure each year, and, for the balance, an annual assessment was to be imposed on the immoveables belonging to Roman Catholics in the said parish;

That the same enacts also that the special board may appoint a paid secretary-treasurer and shall, at its own cost, obtain security for such officer for at least two thousand dollars, and that the sum to be levied each year shall be payable at the office of such secretary-treasurer or at the presbytery, at the option of the special board, and that in addition the monies arising from surpluses of the *fabrique*,

from assessments and all monies intended for the payment of the debt and of the works shall be deposited in a bank chosen by the special board and shall only be withdrawn on the joint signatures of the *curé* and churchwarden in office;

That it seems to result from the said act as a whole that the *fabrique*, so long as the loan contracted by its special board has not been entirely repaid, cannot contract any new loan, as the act does not reserve to it such power;

That it is urgent that the *fabrique* make considerable repairs to the church and sacristy and it is possible that before long, on account of the smallness of the present buildings, it will be called upon to fix up the basement of the church and to make other improvements to protect the church and sacristy from fire, and that for such objects the *fabrique* will have to borrow;

That certain repairs have been made to the church before the presentation of this act;

That on the other hand it is expedient that the assessment to which the immoveables belonging to Roman Catholics in the said parish are subject be not increased through the loans which the *fabrique* may contract as above mentioned, and that the rate of the assessment be restricted to that which has in fact been imposed for some years, that is to say to a rate not to exceed twenty cents per hundred dollars of the value of the immoveables as entered in the valuation roll of the city of Montreal within the limits of which the said parish is situate;

That the *curé* and churchwardens of *l'Œuvre et fabrique* of the parish of St. Clément were authorized, by a resolution adopted at a regular meeting of the freeholders held on the eighteenth of October, 1931, to apply to the Legislature of the Province of Quebec for the passing of a special act to again amend the act 2 George V, chapter, 124, for the purposes above set forth, as appears by an authentic copy of the said resolution accompanying the petition;

Whereas the prayer of the petition has been approved by the Ordinary of the diocese of Montreal, within the limits whereof the parish of St. Clément is situated;

Whereas the *curé* and churchwardens of *l'Œuvre et fabrique* of the parish of St. Clément pray that a special act be passed in accordance with their aforesaid petition and 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:

**1.** Section 5 of the act 2 George V, chapter 124, is re-2 Geo. V, c. 124, s. 5, replaced by the following:

“**5.** The *fabrique*, through the special board, shall levy Period for annually for a period of thirty-two years from the sanc- levying of tioning of this act, an assessment imposed on the immove- annual as- ables situated in the parish belonging to Roman Catholics, sessment. whether resident therein or not, at a rate not to exceed Rate. twenty cents per hundred dollars of the value of the said immoveables, such assessment to be used, as far as it will go, for the payment of the actual debts, of the interest and Application of the sinking-fund or annuities, as the case may be, as well as for the costs incurred for the passing of this act and for the act of assessment and all other incidental expenses, the balance of the sums required to meet the aforesaid charges to be supplied by the *fabrique* out of its revenues.”

The immoveables belonging to *fabriques*, churches and buildings occupied as educational establishments shall not Exemption be subject to assessment. of certain immoveables.

The amount of the assessment shall constitute the first Assessment obligation and first privileged debt on the immoveable, in to constitute accordance with article 4349 of the Revised Statutes, 1909; first obliga- but the proprietors shall not be held nor the immoveables tion. affected for more than the payments expired.”

**2.** Section 11 of the act 2 George V, chapter 124, is re-2 Geo. V, c. 124, s. 11, placed by the following: replaced.

“**11.** The provisions of section III of chapter first of title Provisions ninth of the Revised Statutes, 1909, shall not apply, unless not ap- it be expressly declared, to the matters which are the object plicable. of this act.”

This act shall not, however, have the effect of preventing Borrowing the *fabrique*, in cases not therein provided for, from con- power not tracting loans and binding itself according to the provisions affected. of the general law.”

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

