



CHAPTER 122

An Act to ratify certain loans and certain resolutions of the *Fabrique* of St. Jérôme de Terrebonne

[Assented to, the 24th of March, 1926]

WHEREAS the *curé* and churchwardens of the *Œuvre et Fabrique* of the parish of St. Jérôme, county of Terrebonne, have, by their petition, represented: Preamble.

That, on the 27th of May, 1923, the freeholders of such parish, in a general meeting duly convened in the usual manner, authorized the repair and rebuilding of their church;

That the funds of the *Fabrique* were insufficient to meet the cost of such repairs and building;

That the freeholders at parish meetings, duly convened for the purpose, authorized the *Fabrique*, in order to allow the work to be done and to pay for certain previous loans, to borrow the following amounts, namely:

1. By resolution of the 27th of May, 1923, a sum of one hundred thousand dollars;

2. By resolution of the 20th of January, 1924, a sum of seventy thousand dollars;

3. By resolution of the 20th of July, 1924, a sum of eighty-two thousand two hundred dollars, whereof seven thousand two hundred dollars were to reimburse previous loans to the *Fabrique*;

That, by the terms of these resolutions, the petitioners were authorized to issue bonds to the amount of two hundred and fifty-two thousand two hundred dollars, which in fact they have issued and sold to the public, in accordance with two trust deeds, one of which is dated the 14th of August, 1923, by the petitioners, before C. E. Taschereau, notary, and the other dated the 28th of November, 1924, by the petitioners, before Georges Paquet, notary;

That the funds realized from the sale of such bonds have been regularly applied to the purposes for which they were intended;

That, on the 28th of December, 1924, and the 21st of June, 1925, the petitioners were also, at parish meetings duly convened for the purpose, authorized to borrow additional sums of twenty-nine thousand eight hundred dollars and fifty-two thousand dollars;

That the interest on the bonds issued has been regularly paid by the petitioners up to the 11th of July, 1925;

That, on that date, a freeholder of the said parish being dissatisfied with the decisions unanimously adopted by his co-parishioners, instituted legal proceedings, under No. 325 of the records of the Superior Court of the district of Terrebonne, to prevent their being carried out;

That at a parish meeting regularly called, held on the 2nd of August, 1925, the freeholders, without admitting the allegations in the legal proceedings, unanimously ratified for all legal purposes the proceedings effected up to that time concerning the work of building and repairing the church and the debts and loans contracted for that purpose;

That a second suit under No. 949 of the records of the Superior Court of the judicial district of Terrebonne was instituted on the 5th of August, 1925, by the same plaintiff, attacking the latter resolution and so continuing the litigation;

That these court proceedings, although unfounded, nevertheless caused a serious prejudice to the petitioners, to the bondholders and to the contractors in charge of the repairs and rebuilding of the church, in that they have the practical effect of suspending the payment of the coupons for interest and of lawful claims due, and shaking the confidence of the bondholders and of the public generally who usually invest in securities of this nature;

That all this work and all these loans had been duly authorized and approved by His Grace Mgr. Gauthier, Archbishop of Tarona and Administrator of the Diocese of Montreal, and that no serious complaint is alleged even, against their validity, the plaintiff contenting himself with a general statement of nullity and irregularity, without being able to specify any;

That, nevertheless, in view of the absence of general provisions under which your petitioners could have obtained an incontestable certificate of the validity of their proceedings without the intervention of the Legislature to ratify them, and to ratify the loans, the proceeds whereof have benefitted the parish, the payments due may remain in suspense for a long time still, to the great prejudice of all interested; and

Whereas they have prayed for the passing of an act to that effect, and it is expedient to grant their prayer;

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

1. The resolutions of the freeholders and parishioners of the parish of St. Jérôme of Terrebonne, dated 27th of May, 1923; 20th of January, 1924; 20th of July, 1924; 28th of December, 1924; 21st of June, 1925, and 2nd of August, 1925, as well as the loans contracted in virtue of the said resolutions, are ratified and validated for all lawful purposes insofar as they relate to work on the church. Resolutions and loans, ratified.

2. The provisions of the preceding section shall apply to pending suits, save as to costs in the two actions mentioned in the preamble to this act, which, in any event, shall be paid by the said *Fabrique*. Pending cases.

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