

C H A P . 34

An Act to amend the Revised Statutes, 1909, respecting the grant to the Elementary School Fund.

[Assented to, the 15th of March, 1924]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 2947 of the Revised Statutes, 1909, as amended by the act 12 George V, chapter 47, section 1, is again amended by replacing the words: "two hundred thousand dollars", in the fourth and fifth lines thereof, by the words: "two hundred and fifty thousand dollars".

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

C H A P . 35

An Act respecting the Montreal Catholic School Commission

[Assented to, the 15th of March, 1924]

WHEREAS the Montreal Catholic School Commission has, by its petition, represented:

That it is necessary and urgent for it to acquire new sites for schools, to erect and acquire new schools, to enlarge, improve and repair existing schools, to perform the work of establishing playgrounds for the pupils, and that for such purposes it is necessary to contract a loan;

That with a view to future annexations, it is expedient to oblige the Catholic school corporations situated within the limits of the island of Montreal to submit to the Central Board of such Commission, for its approval, every proposed acquisition of immoveable property, and the floating of every loan, as well as every sale of immoveable property, and the plans and specifications of every school they propose to erect;

Whereas it is expedient to grant to the Montreal Catholic School Commission the additional powers applied for, and, accordingly, to amend the act 7 George V, chapter 28, by which such Commission is governed;

Therefore, His Majesty, with the advice and consent of

the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

54 Vict., c. 53, s. 1, am. **1.** Section 1 of the act 54 Victoria, chapter 53, as amended by the acts 63 Victoria, chapter 99, section 1; 5 Edward VII, chapter 90, section 1; 6 Edward VII, chapter 84, section 1; 9 Edward VII, chapter 39, section 1; 1 George V (1st session), chapter 22, section 1; 2 George V, chapter 27, section 1; 3 George V, chapter 30, section 1; 6 George V, chapter 63, section 1; 8 George V, chapter 37, sections 1 and 2; 10 George V, chapter 39, section 3; 11 George V, chapter 49, section 1, and 12 George V, chapter 48, section 1, is again amended by adding the following subsection thereto:

Additional loan and issue of bonds, etc., authorized.

“z. The Montreal Catholic School Commission is, however, authorized to issue, in addition to the loans already effected by it or already authorized, bonds or debentures for an additional amount not exceeding two million dollars, for the purpose of enlarging, repairing and improving the schools already existing, of acquiring new schools and school sites, and of building new schools and residences for its staff of religious teachers, and of performing the work of establishing playgrounds for the pupils.”

9 Geo. V, c. 37, s. 2, replaced. **2.** Section 2 of the act 9 George V, chapter 37, is replaced by the following:

Submission of acquisitions, etc., of lands, etc., to the Central Board.

“**2.** Every Catholic school corporation situated within the limits of the island of Montreal shall be bound to submit, in advance, to the Central Board of the Montreal Catholic School Commission, for its approval, every proposed purchase of any immoveable property, by promise of sale or otherwise, every exchange, donation or sale of any immoveable property thereto belonging, every emphyteutic lease, every loan or loan renewal, the plans and specifications of the schools and residences they intend to build, as well as every enlargement of any existing school or residence, saving appeal to the Superintendent of Public Instruction from the decision of the Central Board.”

Appeal to Superintendent.

Annexation of the school corporation of St. Bernardin of Montreal.

3. The school corporation of St. Bernardin of Montreal is annexed to the school corporation under the jurisdiction and control of the Montreal Catholic School Commission.

Rights and obligations resulting from this annexation.

4. From the date of the coming into force of this act, the Montreal Catholic School Commission shall be vested with all the rights and shall be liable to all the obligations of the school corporation thus annexed, and the assets and

liabilities of the latter corporation shall form part of the assets and liabilities of the said Commission.

5. The resolution adopted by the school corporation of St. Bernardin of Montreal, on November 6th, 1922, and relating to the acquisition of certain lots, sold at auction, made for the purpose of protecting the corporation's claim, is ratified and validated for all legal purposes, subject however to the approval of the Central Board of the Montreal Catholic School Commission. Resolution ratified.

6. Notwithstanding any laws to the contrary, the Montreal Catholic School Commission may, in the territory of the school corporation of St. Bernardin of Montreal thus annexed, exercise, for the purposes of school taxes and assessments, the powers conferred upon the Montreal Metropolitan Commission by the first paragraph of section 11 of the act 13 George V, chapter 105. Additional powers.

The claims thus established shall be prescribed by a period of ten years from the date of their establishment; and the privilege attached to each such claim shall continue as long as the claim itself without the formality of registration. Prescription and privilege.

7. The provisions of articles 2728*b* and following of the Revised Statutes, 1909, relating to the establishment of sinking-funds, shall not be, and they have never been, applicable to the loans contracted by the school corporation of St. Bernardin of Montreal annexed. Provisions not applicable.

8. The town of St. Michel is bound to pay to the Montreal Catholic School Commission, on the 1st of January and July of each year, the annual school tax which shall in future be imposed on the annexed territory, due to the said Commission and which is imposed under the authority of and in conformity with the various acts governing the said Commission, but only up to the amount collected. To recover the amount collected, the Commission shall have a right of action before the competent court of civil jurisdiction. Payment of taxes collected by the town of St. Michel. Right of recovery by suit.

As the territory annexed is now part of the city of Montreal, it comes *ipso facto* within the jurisdiction of the city which shall impose and collect the school taxes at the same time as the municipal taxes. Imposition and collection by city of Montreal.

The rates of school taxation now in force in the city of Montreal shall apply to the whole of the territory of this municipality. Rates applicable.

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