

the alienation of the immovables.

sell, transfer, mortgage or otherwise alienate the immovable portion of this property without first asking and obtaining the consent of the above mentioned *fabrique* and without the approval of the then parish priest of Ste. Marie, Beauce.

Coming into force.

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

## CHAP. 117

An Act to authorize the reconstruction of a church and sacristy in the parish of the *Sacré-Cœur-de-Jésus*, in the city of Montreal

[Assented to, the 29th of December, 1922]

Preamble.

**WHEREAS** the *curé* and churchwardens of the *Œuvre et Fabrique de la paroisse du Sacré-Cœur-de-Jésus*, in the city of Montreal, have, by their petition, represented:

That on the 3rd of April, 1922, fire completely destroyed the church and sacristy of this parish;

That it is urgent, for the welfare of the parish, to reconstruct and furnish, as soon as possible, on the land of the *fabrique*, the church and sacristy, using as far as possible the parts of the walls saved from the fire of the former church and sacristy;

That it is necessary to enact special legislation to provide, with the approval of the Ordinary of the archdiocese, for the reconstruction of the said church and sacristy, and their furnishing, by borrowing necessary sums for this purpose;

That, in order to render the cost of the work less onerous, it is advisable to make a long term loan or loans, and, for their reimbursement, impose and levy, each year, on the property of Roman Catholics, whether residing or not in the parish, an assessment based on the annual municipal valuation roll and to affect the properties only for the payment of the assessments due;

That the provisions of chapter first of title ninth of the Revised Statutes, 1909, do not meet the requirements of the petitioners; that, particularly, it is proper, because of the special situation of the said parish, to substitute a less complicated system to the corporation of trustees of the parish;

That, moreover, the petitioners require special facilities for borrowing and reimbursing, and that because of the

rapid increase in population and frequent transfers of property, it is necessary, each year, to change the rate of the assessment which should be imposed and to limit the privilege affecting the immoveables of the freeholders to the payments due, by reason of the said assessment;

That the present request has been approved by a general meeting of the freeholders of the said parish, as well as by the Ordinary of the archdiocese;

That, for these purposes, it is necessary to pass special legislation, and that it is expedient to grant this petition;

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

**1.** The *curé* and churchwardens in office of the *Œuvre et Fabrique de la paroisse du Sacré-Cœur-de-Jésus*, as well as their successors in office, are hereby constituted a distinct corporation under the name of "The trustees of the parish of the *Sacré-Cœur-de-Jésus*". They shall have all the powers and obligations hereafter mentioned as well as those resulting from the general law relative to trustees and consistent with this act.

"The trustees of the parish of the *Sacré-Cœur-de-Jésus*," incorporated.

**2.** The trustees shall cause to be constructed or shall continue the reconstruction of a church and sacristy on the land of the *fabrique*.

Construction, etc., of a church and sacristy.

**3.** The trustees shall have plans and specifications prepared, call for tenders, make contracts, supervise the work, may ratify any arrangement already entered into, shall retain, if they deem advisable, the services of experts, shall take and defend at their discretion all legal contestations, and do all things necessary for the carrying out of the purposes of this act.

Plans, specifications, tenders, etc.

**4.** The plans and specifications and all contracts shall be approved by the Ordinary of the archdiocese.

Approval of plans, etc.

**5.** In order to pay for the construction of the said church and sacristy and for their furnishing, the trustees are authorized to borrow a sum not exceeding two hundred thousand dollars by means of one or several loans, payable within a period of time not exceeding thirty years, from one or several persons, corporations or institutions, and at a rate of interest not exceeding six per cent per annum.

Loans authorized.

**6.** Each loan may be made by notarial deed or by way of debentures or otherwise, with sinking-fund; it may be

Mode of loans.

redeemed by annuities or annual payments, as may be preferred. If the trustees decide to borrow by way of debentures, they may settle by resolution the details and form of the debentures.

Yearly  
levying, by  
assessment,  
of the neces-  
sary amount  
etc.

**7.** The trustees may levy, each year, during a period not exceeding thirty years, by assessment on all the immoveables situated in the parish belonging to Roman Catholics, whether resident or not in the said parish, an amount sufficient to pay the capital, interest and sinking-fund or annuities, as the case may be, the costs occasioned by the said assessment, by the making of the loan, and by the passing of this act, the insurance premiums and the salary of the secretary, provided that the immoveables of the said freeholders and proprietors be affected, and that the said freeholders and the said proprietors themselves be bound, only to the extent of the payments due for the said assessments, save as hereafter enacted.

Supple-  
mentary  
sum.

**8.** In order to cover costs and losses, the trustees may also add to the amount of the assessment a sufficient supplementary sum.

Valuation  
roll:

**9.** The act of assessment shall be based upon the municipal valuation roll of the city of Montreal in force on the 1st of December preceding the coming due of the payments to be made.

Yearly act  
of assess-  
ment.

An act of assessment shall be made every year. It shall not be submitted for homologation by the civil commissioners acting under the Revised Statutes, 1909.

Deposit of  
the act of  
assessment.

**10.** This act of assessment shall be deposited on or before the first day of October of each year in the office of the secretary, where interested parties may inspect it at the hours fixed by the trustees. It shall be homologated by the trustees on the day and at the hour that they shall fix, by notice read publicly and posted at the door of the parish church at least eight days in advance, and such homologation shall have the same effect as the homologation by the civil commissioners acting under article 4335 of the Revised Statutes, 1909.

Homologation  
by  
trustees, etc.

Amount  
levied on the  
2nd of Jan-  
uary of each  
year; first  
payment,  
etc.

**11.** The amount to be levied each year shall be exigible and payable on the 2nd of January of each year in future; the first payment shall be exigible on the 2nd of January 1924, and payments not effected within thirty days of the date of maturity shall bear interest at six per cent per annum.

**12.** The money derived from the assessment, loans, and Money deposited in a chartered bank. generally all the money destined for the payment of the debt and the above-mentioned work, shall be deposited in a chartered bank chosen by the trustees, and may be withdrawn only on the joint signatures of the *curé* and the churchwarden in office.

**13.** In order to guarantee the payment of the loans in Guaranty of capital and interest, the trustees may transfer to a trustee loans, etc. or trustees the above mentioned allotment.

**14.** Religious buildings, during or after their construction, must be insured against fire and all other perils of destruction; and the insurance policies may be transferred as an additional guarantee for the loans. Insurance against fire, etc.

**15.** Suits to recover the amounts mentioned in the act of assessment shall be taken in the name of the trustees according to the mode indicated in paragraph 1 of article 4341 of the Revised Statutes, 1909. Legal suits.

**16.** The *curé* of the parish may convene the trustees to a meeting by registered letter addressed to each of them at least one clear day before such meeting. Meetings.

These meetings shall be held like meetings of churchwardens and shall be entered in the register of the deliberations of the *fabrique*. The quorum of these meetings shall be five. In case of a tie vote, the *curé*, besides his vote as trustee, shall give his casting-vote as chairman. Idem. Casting vote.

**17.** The trustees may appoint a secretary with remuneration, and shall at their cost take out a bond of at least two thousand dollars for this official. Secretary.

**18.** The accounts shall be rendered and approved on or before the 1st of December of each year. Accounts.

**19.** Nothing in this act shall be interpreted as restricting the general power of the *fabrique* to contract loans. Interpretation.

**20.** At the final rendering of account of the trustees, the *curé* and churchwardens in office shall be substituted to the trustees, and shall have all the rights, powers, privileges and obligations conferred on the trustees by this act. *Curé, etc.,* substituted to trustees.

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