

**23.** Nothing in this act shall be interpreted as repealing <sup>Interpre-</sup> or restricting the general powers of the *fabrique* to contract <sup>tation.</sup> loans, nor the powers, privileges and attributes conferred upon the *fabrique* by the general or special laws concerning the same.

**24.** When the final accounts are rendered by the trus- <sup>Priest and</sup> tees, the parish priest and the churchwardens in office shall <sup>church-</sup> replace the trustees, and shall have all the rights, powers, <sup>wardens to</sup> privileges and obligations conferred upon or required of <sup>replace</sup> the trustees by this act.

**25.** This act shall come into force on the day of its <sup>Coming</sup> sanction. <sup>into force.</sup>

## CHAP. 164

An Act respecting the building of religious edifices in the parish of St. Eusèbe de Verceil

[Assented to, 19th of March, 1921]

**W**HEREAS the *curé* and churchwardens of *l'Oeuvre et* <sup>Preamble.</sup> *fabrique* of the parish of St. Eusèbe de Verceil, in the city of Montreal, have, by their petition, represented:

That this parish, although founded since about twenty-four years, has no church yet, divine worship having been hitherto held in a basement;

That it is now necessary to build a church and sacristy in the parish;

That it is necessary to effect one or more loans in order to cover the cost of this work;

That it is also necessary to enact special legislation respecting the said buildings, loans and the means of repaying such loans;

That the freeholders have approved the aforesaid petition unanimously;

Whereas it is expedient to grant this 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 parish of St. Eusèbe de Verceil, in the city of <sup>Parish to be</sup> Montreal, shall, for the purposes of this act, be represented <sup>represented</sup> by the corporation of trustees mentioned in the following <sup>by trustees.</sup> section.

**2.** The *curé* and churchwardens of *l'Oeuvre et Fabrique* <sup>Corporation</sup> <sup>created.</sup>

Name. of this parish and their successors in office are hereby constituted a distinct corporation under the name of "The Trustees of the parish of St. Eusèbe de Verceil".

Powers. **3.** All the powers, rights and obligations contained in the general law relating to corporations of trustees and compatible with this act, shall apply to the trustees of the parish.

Authoriza-  
tion to build  
church, etc. **4.** The trustees are empowered to build a church and a sacristy on the lot of the *fabrique* on which a basement is already built.

Plans and  
specifica-  
tions. **5.** They may also have plans and specifications prepared, call for tenders, make contracts relating to these buildings, secure the services of experts, plead and be impleaded, and perform all the acts necessary for attaining the object of this act.

Approval of  
Ordinary. **6.** The plans and specifications and all contracts relating to loans must be approved by the Ordinary of the archdiocese.

Loan  
authorized. **7.** To cover the cost of building the church and sacristy, the trustees are authorized to borrow a sum not exceeding two hundred and fifty thousand dollars, a portion whereof may be used to repay the amount of the present debt of the *fabrique*, and the remainder shall be used to build the church and sacristy, and to pay the costs entailed in negotiating the loans and in securing the passing of this act.

How loan  
may be  
effected. **8.** Every loan shall be repayable within a period not exceeding forty years. It may be effected by notarial deed, by promissory notes or by means of an issue of bonds or debentures or otherwise, with a sinking-fund of at least one per cent annually; it may also be repaid by annuities. If the loan be effected for a term of less than forty years, new loans may be effected from time to time, but the proceeds of such loans shall be applied to the repayment of the previous loan or loans.

Hypothecation of  
immove-  
ables. **9.** To guarantee the repayment of such loan or loans, in principal and interest, the trustees may hypothecate the immoveables of the *fabrique*, including the church, sacristy, presbytery and the adjoining lots; they may also, for the guarantee of such loan or loans, use all the above-mentioned taxes, either by transferring, wholly or partly, the right of levying the amount thereof, or by any other

means. If the loan be effected by means of debentures, the hypothec and the transfer may be to one or more trustees, to guarantee the payment of said debentures.

**10.** When the trustees deem that they cannot, with <sup>Annual</sup> the surplus receipts over the annual expenditure of the <sup>assessment.</sup> *fabrique*, cover the repayment of said loans, either in capital or in interest, and of the above mentioned expenses, either wholly or partly, they may levy, every year, by means of an act of assessment on all immoveables situated within the limits of the parish belonging to Roman Catholics, whether residing or not in the said parish, a sum sufficient to cover the repayment of the capital by means of the sinking-fund, and the payment of the interest or annuities, as the case may be, the costs entailed by said assessment, the secretary's salary, the insurance premiums, as well as other expenses entailed by the aforesaid work; but the owners shall be liable and the immoveables affected only to the amount of the payments due on such assessments.

If, however, in the same territory, there be another parish <sup>Proviso.</sup> church called "national", the immoveables belonging to the Roman Catholics of that nationality shall not be affected by this act.

**11.** An additional sum sufficient to cover expenses and <sup>Sum to be</sup> losses may be added to the amount of the assessment. <sup>added.</sup>

**12.** The act of assessment shall be based on the muni- <sup>To be based</sup> cipal valuation roll then in force for the immoveables of <sup>on muni-</sup> the parish. Such act of assessment shall include the des- <sup>pal valua-</sup> cription and valuation of the immoveable as contained in <sup>tion roll.</sup> such roll, the names of the real or presumed owners and the amount at which the immoveable is assessed.

**13.** This act of assessment shall be deposited on or <sup>Deposit of</sup> before the 1st of January of each year, in the office of the <sup>act.</sup> secretary of the trustees. The trustees shall then post at the door of the parish church, at least eight days before-hand, a notice mentioning the place, day and hour at which they will take into consideration complaints relating to the said assessment act. On the day appointed <sup>Complaints</sup> in the notice, the trustees shall take into consideration the <sup>to be</sup> verbal or written complaints of the interested parties, <sup>considered.</sup> shall hear them, and may examine witnesses and swear them, if they deem it expedient. The trustees shall have <sup>Revision.</sup> the power to correct the act of assessment forthwith, as they may deem just and equitable.

Homologation.

**14.** The act of assessment shall then be homologated by the trustees and shall come into force thirty days afterwards without other formalities. The sum to be levied each year, under the said act of assessment, shall be payable at the place appointed by the trustees, and the latter may also determine the date on which the assessment shall commence to run, beginning on the 1st of January, 1921, if they deem advisable.

Date from which assessment to run.

Interest.

**15.** The payments due under the said assessment and not effected within thirty days from their maturity, shall bear interest at the rate of six per cent per annum.

Moneys to be deposited.

**16.** The moneys derived from the assessment, the loans and generally all moneys destined for the payment of the abovementioned debt and works, shall be deposited in a chartered bank chosen by the trustees, to a special account, and shall be withdrawn only on the joint signatures of the *curé* and churchwardens in office.

Exemptions.

**17.** The immoveables belonging to *fabriques* or occupied as educational or charitable establishments shall be exempt from assessment.

Suits to be taken in name of trustees.

**18.** Suits for the recovery of sums mentioned in the act of assessment shall be taken in the name of the trustees, before the Circuit Court of the district of Montreal, which shall have sole jurisdiction, whatever may be the sum claimed, and whose judgments, whether interlocutory or final, shall be without appeal.

Insurance of buildings.

**19.** The religious edifices, during and after their construction, must be insured against fire or any other danger of destruction, and the insurance policies may be transferred as a supplementary guarantee of the loans. The trustees may also insure against all other risks resulting from the building of the church and sacristy.

Powers may be delegated to Commission.

**20.** The trustees may delegate, wholly or partly, the powers given to them by this act to a commission consisting of the *curé* and four trustees, and in such case the *curé* may call a meeting of the members of the said commission by a letter addressed to each of them and delivered at their domicile not later than the day before the meeting. The meetings of the commission in such case shall be held like churchwardens' meetings, and the minutes thereof shall be entered in the register of the proceedings of the *fabrique* and signed by at least two of the members

Meetings.

present, one of whom shall be the president. The quorum <sup>Quorum.</sup> of the meeting shall be three; when the votes are equally divided, the *curé* shall, in addition to his vote as member of the commission, have a casting-vote as president.

**21.** The trustees may appoint a secretary with such <sup>Secretary.</sup> salary at they deem proper, and they shall obtain a guarantee bond of at least two thousand dollars for such officer, at their own expense.

**22.** Accounts, previously submitted to the Ordinary <sup>Annual</sup> of the archdiocese of Montreal, shall be rendered from <sup>accounting.</sup> the pulpit by the *curé*, at the end of each fiscal year.

**23.** Nothing in this act shall be interpreted as repealing <sup>Interpre-</sup> or restricting the general power of the *fabrique* to effect <sup>tation.</sup> loans, or the powers, privileges and attributes conferred on the *fabrique* by the general or special acts respecting it.

**24.** When the final accounts are rendered by the <sup>Trustees to</sup> trustees, at a regular parish meeting, and duly accepted <sup>be replaced</sup> by the said meeting, as well as by the Ordinary of the <sup>after final</sup> archdiocese of Montreal, the *curé* in charge and church-wardens in office shall replace the trustees, and have all the powers, rights, privileges and obligations vested in the trustees by this act.

**25.** This act shall come into force on the day of its <sup>Coming</sup> sanction. <sup>into force.</sup>

## CHAP. 165

An Act respecting the trust created by the will of the late  
Reverend Joseph Télesphore Savaria

[Assented to, 19th of March, 1921]

**W**HEREAS *La Communauté des Sœurs de Charité de la* <sup>Preamble.</sup>  
*Providence*, a corporation having its principal place of business in the city and district of Montreal, has, by its petition, represented:

That the Reverend Joseph Télesphore Savaria, in his life-time parish priest of Lachine, by his will in authentic form, made before Mr. J. A. Meunier and colleague, notaries, at Lachine, on the 1st of July, 1914, registered in the registry office of Hochelaga and Jacques-Cartier division, under No. 334521, bequeathed to his successors as parish priest of Lachine, and to Messrs. Raoul Carignan,