

11. The agreement made between Alexander Leroy and William Brown and William McClintock, provisional trustees of said proposed corporation, bearing date and passed before Joseph Girouard, notary, the 16th day of October, 1919, under the No. 8585 of his minutes, is hereby ratified and confirmed to all intents and purposes. Agreement ratified.

12. The corporation shall, when so required, transmit to the Lieutenant-Governor in Council a statement of its moveable and immoveable property, and the names of its officers. Statement for Lt. Gov. in C.

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

SCHEDULE A

KNOW ALL MEN BY THESE PRESENTS, the St. Andrews Protestant Cemetery for and in consideration of the price and sum of _____ in hand paid to the said corporation, does grant, bargain, sell and convey unto _____ a certain burial lot in the St. Andrews Protestant Cemetery, measuring _____ feet by _____ feet, English measure, and described on the official plan thereof under No. _____

This sale is made subject to the by-laws and regulations of the corporation which do now or may hereafter govern the said cemetery.

In witness whereof the president and secretary of said corporation have signed these presents and affixed the seal of the corporation at the village of St. Andrews, this day of _____

President.

Secretary.

[Seal]

CHAP. 145

An Act to authorize the building of a church and sacristy in the parish of Saint Augustin

[Assented to, 14th of February, 1920]

WHEREAS the *curé* and church-wardens of *l'œuvre et fabrique* of the parish of St. Augustin in the city of Montreal, have, by their petition, represented: Preamble.

That it is urgent, for the welfare of the parish, to build

and furnish a church and sacristy as soon as possible upon the property of the *fabrique*;

That it is necessary to pass a special act to provide, with the assent of the Ordinary of the diocese, for the building of the said church and sacristy and furnishing the same, by borrowing the necessary funds for said purpose;

That in order that the cost be less burdensome, it is expedient to effect one or more temporary or long term loans, and, for their repayment, to impose and levy, each year, upon the property of the resident and non-resident Roman Catholics of the parish, an assessment based upon the annual municipal valuation roll, and affecting the properties only to the amount of the payment on 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 in particular it is advisable, owing to the peculiar position of the said parish, to substitute for the corporation of parish trustees, a less complicated organization; and furthermore, the petitioners need special facilities for effecting and repaying loans, and, owing to the rapid growth of the population and the frequent changes in ownership of property, it is necessary to change, each year, the rate of assessment to be imposed, and to limit to the payments due the privileged claim to which the immovables of the free-holders shall be liable in connection with the said assessment;

That for such purposes it is necessary that a special act be passed to that effect;

And whereas it is expedient to grant the prayer of the said petition;

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

Corporation constituted.

Name.

1. The *curé* and church-wardens now in office of *l'œuvre et fabrique* of the parish of St. Augustin as well as their successors in office, are hereby constituted a distinct corporation under the name of "The Trustees of the parish of St. Augustin"; they shall have all the powers hereinafter mentioned, as well as all those under the general laws respecting trustees and consistent with this act.

Construction of church.

2. The trustees shall have a church and a sacristy built upon the *fabrique* property.

Duties of trustees.

3. The trustees shall have plans and specifications prepared, call for tenders, pass contracts, supervise the

work, retain the services of experts, if they deem it necessary, take out and defend lawsuits at their discretion, and perform all necessary acts for attaining the object of this act.

4. The plans and specifications and all contracts must be approved by the Ordinary of the diocese. Approval of plans.

5. To pay the cost of the work of building the church and sacristy and of its furniture, the trustees are authorized to borrow from one or more persons, corporations or institutions a sum not exceeding two hundred thousand dollars by one or more loans, repayable within a period not exceeding forty years. Borrowing powers.

6. Any loan may be effected by a notarial deed or by means of debentures or otherwise with a sinking-fund; it may be repayable by annuities if deemed preferable. If the loan is for a period of less than forty years, new loans may be effected and new debentures may be issued, from time to time; but the proceeds of such loans or debentures shall be applied to the payment of the preceding loan or loans or to debentures previously issued. Contracting of loans.

7. The trustees may levy each year, during a period not exceeding forty years, by assessment upon all immovables belonging to Roman Catholics, whether residents or non-residents of the said parish, a sum sufficient for paying the capital, interest and sinking-fund or the annuities, as the case may be, the cost of levying the assessments, of negotiating the loans, the insurance premiums, the secretary's salary, the expense incurred in passing this act, and other expenses ordered by the canonical decree, authorizing such works to be executed; provided the immovables of the said free-holders and the said owners shall be affected, and the said free-holders and owners of immovables themselves shall be responsible, only to the extent of the payments for assessments then due, except as hereinafter provided. Power to levy assessments. Proviso.

8. To meet costs and losses, the trustees may add a sufficient additional sum to the amount of the assessment. Power to levy additional sum.

9. The assessment roll shall be based upon the municipal valuation roll of the city of Montreal, in force on the first of September preceding the maturity of each of such payments. Assessment roll.

An assessment roll shall be out made every year. It

shall not be submitted for homologation by the civil commissioners acting in accordance with the Revised Statutes, 1909.

Homologation of roll.

10. Such assessment roll must be deposited, on or before the first day of November of each year, at the secretary's office, where the interested parties may have communication of the same, at the hours appointed by the trustees. It shall be homologated by the trustees on the day and at the hour fixed by them, after public notice, read publicly and posted at the parish church doors, at least eight days beforehand; and such homologation shall have the same force and effect as the homologation by the civil commissioners acting in accordance with article 4335 of the Revised Statutes, 1909.

Assessment, when payable.

11. The assessment to be levied every year shall become due and exigible the first day of December of each forthcoming year; the first payment shall be exigible the first day of December, 1920.

Interest payable.

12. All payments not made within thirty days from their becoming due, shall bear interest at six per cent per annum.

Control of proceeds of loans, etc.

13. The proceeds of the assessment and loans, and generally all moneys to be used in paying the debt and works above mentioned, shall be deposited in a chartered bank chosen by the trustees, and may be withdrawn only upon the joint signatures of the *curé* and senior churchwarden.

Power to hypothecate property.

14. The trustees may hypothecate the church and sacristy and the ground upon which they are built, and transfer all assessments for the payment of said loans and debentures; in the event of the loan being effected by debentures, such hypothec may be given to one or more trustees, as guarantee for the payment of said debentures, and, after being registered, it shall be a valid obligation in favour of said debenture-holders.

Insurance.

15. The religious buildings must, during and after their construction, be insured against fire and all other dangers of destruction, and the insurance policies may be transferred as additional security for loans.

Recovery of assessments.

16. Suits may be taken in the trustees' name for the recovery of any sums in the act of assessment in the manner

set forth in paragraph 1 of article 4341 of the Revised Statutes, 1909.

17. The *curé* may call a meeting of the trustees by registered letter addressed to each of them, at least one clear day before such meeting. Meeting of trustees.

Such meetings shall be held in the same way as church-wardens' meetings, and the proceedings shall be entered in the minute book of the *fabrique*. The quorum at such meetings shall be three. Quorum.

In the event of an equal division of votes, the *curé* shall, in addition to his vote as a trustee, have a casting-vote as chairman. Casting vote.

18. The trustees may appoint a secretary, and pay him a salary, and they shall, at their own expense, get such officer a security bond of at least two thousand dollars. Appointment of secretary.

19. Accounts must be rendered and approved on or before the first day of December of each year. Approval of accounts.

20. Nothing in this act shall be interpreted as restricting the general powers of the *fabrique* for contracting loans. Powers of fabrique not restricted.

21. When the final account is rendered by the trustees, the *curé* and church-wardens in office shall be substituted for the trustees, and shall have all the rights, powers, privileges and obligations conferred upon the trustees by this act. Substitution of trustees.

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

CHAP. 146

An Act respecting the *curé* and Churchwardens of *l'œuvre et fabrique* of the parish of Saint Irénée, Montreal

[Assented to, 14th of February, 1920]

WHEREAS the *curé* and churchwardens of *l'œuvre et fabrique* of the parish of Saint Irénée, Montreal, in the diocese of Montreal, have, by their petition, represented that, since the year 1900, the said *fabrique* has built two churches and sacristies, the former having been destroyed by fire, a presbytery and other dependencies, purchased lots required for the purposes of the said *fabrique* and con- Preamble.