

C H A P . 37

An Act to amend the act 7 George V, chapter 28, respecting
the Montreal Catholic School Commission

[Assented to 9th February, 1918.]

Preamble.

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

That the school commissions heretofore existing in the territory of the city of Montreal, including that of Maison-neuve, and which have been united together to form but one, have brought to the new organization a considerable floating debt for which there were no disposable or realizable assets, and that the only way to provide for the payment of such debt is a loan by means of long term debentures;

That, in view of the general increase of the population in the whole territory of the city of Montreal, in that of the city of Maisonneuve and particularly in the outlying wards, and to provide for the needs of that population, it is necessary to enlarge and improve the schools already existing, to acquire new school sites, to acquire and build new school houses, and that a loan is also necessary for such purposes;

That in the amalgamated school commissions the rate of taxation generally levied exceeded four-tenths of a cent in the dollar as at present leviable by the city of Montreal, so that the revenue brought in by these commissions is markedly reduced, and, on the other hand, owing to the opening of new schools, the expenses of administration have greatly increased and it is impossible with the present revenue to meet the situation, and an increase of the school tax has become necessary;

That certain commissions, whose territory is situate within the limits of the city of Montreal, claim, nevertheless, that they do not form part of the new organization, and it is expedient to remove all doubts respecting this matter and the extent of the commission's territory;

Whereas, to better provide for the proper working of the commission created by the act aforesaid, new provisions are needed;

And whereas it is expedient to grant the prayer to that effect contained in 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:

amended by the acts 63 Victoria, chapter 99, section 1; 53, s. 1, am. 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, and 6 George V, chapter 63, section 1, is further amended by adding thereto the following subsections:

“*q.* The Montreal Catholic School Commission is, nevertheless, authorized to issue, in addition to the loans already contracted by it, bonds or debentures for an additional amount not exceeding three million dollars. Additional bond issue.”

“*r.* Such bonds or debentures shall be issued in accordance with the act 54 Victoria, chapter 53, section 3, and the act 1 George V (2nd session), chapter 60, section 30. Form of bonds.”

“*s.* Section 2 of the act 5 George V, chapter 38, and section 2 of the act 6 George V, chapter 63, shall apply to the above loan.” Provisions applicable.”

2. Section 2 of the act 54 Victoria, chapter 53, is replaced by the following: Id., s. 2, replaced.

“**2.** The said bonds or debentures of the loan authorized by sub-paragraph *q* of section 1, shall be issued in sums of one hundred, five hundred and one thousand dollars each; every issue shall be of at least twenty-five thousand dollars, in bonds of equal denomination and redeemable in accordance with the provisions of this act, within a period of not less than five nor more than forty years; and such bonds or debentures shall bear interest at a rate not exceeding six per cent per annum, payable yearly or half-yearly. If, however the Montreal Catholic School Commission should decide to issue debentures redeemable within a delay of not more than ten years, it shall not be necessary to provide a sinking-fund, notwithstanding any law to the contrary.” Amount, &c. of bonds. Sinking-fund not required for short term bonds.”

3. The debentures issued by the Montreal Catholic School Commission to the amount of eight hundred thousand dollars, under the act 6 George V, chapter 65, section 3, shall form part of the school debentures of the city of Montreal; and the provisions of the act 54 Victoria, chapter 53, section 3, have been validly applied thereto. Certain debentures to form part of school debentures of city of Montreal.

4. Section 1 of the act 34 Victoria, chapter 12, as amended by the acts 36 Victoria, chapter 33, section 1; 55-56 Victoria, chapter 61, section 1; 4 Edward VII, chapter 50, section 1, and 6 Edward VII, chapter 84, section 2, is replaced by the following: 34 Viet., c. 12, s. 1, replaced.

Amount to be paid by city of Montreal for support of catholic schools.

1. Section 23 of the act of this Province, 32 Victoria, chapter 16, intituled, "An Act to amend the law respecting Education in this Province", is amended in so far only as regards the amount to be paid by the corporation of the city of Montreal, for the support of the schools in the said city; and hereafter the corporation of the city of Montreal shall pay, for the support of schools in the said city, in lieu of the sum equal to three times the amount of the share of the Government grant to the schools of the city, as provided in the said section, a sum equal to six-tenths of a cent in the dollar, on the total value of the taxable immoveable property of the said city, entered on panels Nos. 1 and 2, as provided by paragraphs 1 and 2 of section 29 of the act of this Province, 32 Victoria, chapter 16, and by section 1 of the act 9 Edward VII, Chapter 38, and seven-tenths of a cent in the dollar, on the total value of the taxable immoveable property entered in panel No. 3, as provided by paragraph 3 of the said section 29 of the said act 32 Victoria, chapter 16, and section 1 of the act 9 Edward VII, chapter 38.

To apply, in part, to Maison-neuve.

This provision, as to panels Nos. 1 and 3, shall also apply to the territory of the city of Maisonneuve and to all the territory which may be declared to form part of the Montreal Catholic School Commission, or which may hereafter form part of the same; and section 4 of the said act 6 George V, chapter 65, is amended accordingly."

Provision declared to apply to territories annexed by certain act.

5. Section 2 of the act 7 George V, chapter 28, is declared to apply and to have always applied to the municipalities annexed to the city of Montreal by the act 7 George V, chapter 60, section 1, as well as the portion of the territory of the school trustees of the municipality of Côteau St. Pierre forming part of the parish of Notre Dame de Grâces, situate in the city of Montreal.

Territory added to Catholic School Commission of Montreal.

That part of the territory of the School Commission of Sault-au-Recollet which does not form part of the territory of the Montreal Catholic School Commission is added thereto for all purposes, and shall accordingly be subject to sections 4 and 6 of this act.

Montreal North to pay certain amount annually.

The town of Montreal North shall pay to the Roman Catholic School Commission of Montreal in one annual payment, on the 1st of January, each year, that part of the annual school tax levied on the territory annexed which belongs to the said Commission, and levied under the authority of and in accordance with sections 4 and 6 of this act.

Payable even if not collected.

Such payments shall be made by the town of Montreal North at the above-mentioned dates even though the said

taxes shall not have been levied nor received by the town of Montreal North; and the Commission may recover from the said town the amount to which it has a right by applying to the ordinary Courts.

6. Notwithstanding any law to the contrary, lands under cultivation shall be valued, for school purposes, Catholic, Protestant and neutral, at their real value like any other immoveable in the city of Montreal, and for school purposes, Catholic and neutral only, in the city of Maisonneuve and in any municipality now forming or which may hereafter form part of the territory of the Montreal Catholic School Commission; and the assessors of the cities of Montreal and Maisonneuve shall be bound to make such valuation. Valuation of lands under cultivation.

If the valuation made under this section is contested before the Board of assessors or before the Recorder's Court of the city of Montreal or before any other Court in the said city, the interested School Commissions may intervene, after notice given by the city of Montreal to the said School Commissioners, and plead to all such contestations at their expense and in place of the said city, which shall be freed from all obligation or responsibility on the subject. Contestation of valuation. School Commissioners may intervene.

7. Section 40 of the act 7 George 5, chapter 28, is amended by adding thereto the following paragraph, to wit: 7 Geo. V, c. 28, s. 40, am.

“Nevertheless in so far as concerns the territory of the School Commission of *Saint Enfant Jesus de Montreal*, the said taxes shall be imposed as from and after July 1st, 1918. The school taxes imposed under the rolls made by the city for the year 1917-1918, as regards the School Commission of *Saint-Enfant-Jesus de Montreal*, shall be decreased accordingly by the city Treasurer.” Special date for taxes in certain case. City treasurer to decrease taxes accordingly.

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