

in addition to his vote as trustee, have a casting-vote as chairman.

19. In addition to the powers specially conferred on Powers, &c. them by this act, the trustees shall enjoy all the rights, powers and privileges granted to corporations of trustees under the Revised Statutes, 1909.

20. The provisions of section III of chapter first of Provisions title IX of the Revised Statutes, 1909, shall not apply to the applicable, affairs forming the subject matter of this act, unless there is an express declaration to that effect.

21. Nothing in this act shall be interpreted as restrict- Act not re-
the general power of the *fabrique* to contract loans. strictive.

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

CHAP. 130

An Act to authorize the building of a church and sacristy
in the parish of *Les Saints-Anges Gardiens de Lachine*

[Assented to 9th February, 1918]

WHEREAS the *curé* and churchwardens of l'œuvre et Preamble.
fabrique of the parish of *Les Saints-Anges Gardiens de Lachine* in the district of Montreal, have by their petition represented:

That on the 7th October, 1915, the church and part of the sacristy of the said parish were destroyed by fire;

That a temporary chapel, built with the ruins of the sacristy, has served for divine worship since then;

That it is urgent for the welfare of the parish that a church and sacristy be built and furnished as soon as possible on the grounds of the *fabrique*, by making use as far as practicable of the portions of the walls of the old church and sacristy spared by the fire;

That it is necessary that special legislation be adopted to allow, with the approval of the Ordinary of the diocese, of rebuilding and furnishing the said church and sacristy by borrowing the necessary moneys for that purpose;

That in order to make the cost of such work less burdensome, it is expedient to effect one or more long term loans, and, to provide for the repayment of the same, to levy yearly upon the immoveable properties of the Roman

Catholics, an assessment based on the annual municipal valuation roll, and to affect such properties only to the amount of the assessments that may be due;

That the Ordinary of the diocese and the freehold inhabitants of the parish have approved this mode of proceeding;

Whereas certain doubts have arisen as to the collection of the arrears due and unpaid on the 7th of October, 1915, on all assessments made under the acts 8 Edward VII, chapter 141, and it is advisable to remove such doubts on the subject;

Whereas the petition prays for the passing of a special act for the aforesaid purposes, and it is expedient to grant such prayer;

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

Corporation
of trustees
created.

1. The *curé* and churchwardens in office of *l'œuvre et fabrique* of the parish of *Les Saints-Anges Gardiens de Lachine*, as well as their successors in office, are hereby constituted a distinct corporation, under the name of "The Trustees of *Les Saints-Anges Gardiens de Lachine*"; they shall have all the powers hereinafter mentioned, as well as all those conferred by the general law upon trustees, and consistent with this act.

Church,
&c., to be
built.

2. The trustees shall build a church and sacristy, making use as far as possible of the parts of the walls of the burned church and sacristy which have been spared by the fire.

Plans, &c.

3. The trustees shall have plans and specifications prepared, call for tenders, enter into contracts, supervise the work, and obtain, whenever they deem proper, the services of experts, take and defend, in their discretion, all judicial suits, and do all necessary acts for attaining the object of this act.

Approval by
Ordinary.

4. The plans, specifications and all contracts shall be approved by the Ordinary of the diocese, all of whose rights and powers shall be in nowise restricted by this act.

Loan
authorized.

5. To pay the cost of building the said church and sacristy and of furnishing the same, the trustees are authorized to borrow an amount of not more than two hundred thousand dollars, by means of one or more loans, payable within a period not exceeding forty years, from

one or more persons, corporations or institutions; the conditions of every loan shall be approved by the Ordinary of the diocese.

6. Any loan may be effected by notarial deed or by an issue of bonds or debentures or otherwise, with a sinking fund; it may be repayable by annuities as may be deemed preferable. If the loan is for a shorter term than forty years, new loans may be effected and new debentures issued from time to time; but the proceeds of such loans or debentures shall be devoted to the payment of the previous loan or loans or debentures previously issued. Manner of making loan.

7. The trustees may levy every year during a period not exceeding forty years, by assessment upon all the immoveables belonging to Roman Catholics, whether residing in the said parish or not, an amount sufficient to pay the capital, interest and sinking-fund, or the annuities, as the case may be, the costs occasioned by the said assessment and by the negotiation of the loan, the insurance premiums, the salary of the secretary, and the costs occasioned by the passing of this act, and other expenses entailed by the carrying out of the canonical degree authorizing the aforesaid works; and provided, moreover, that the immoveables of the said freehold inhabitants and of the said proprietors shall not be affected, and the said freeholders and proprietors themselves shall not be liable for more than the amount of the payment then due on the said assessments, except as otherwise enacted. Annual assessment to be levied.

8. To cover the costs and losses, a sufficient additional amount may be added to that of the assessment.

9. To effect the repayment of the loans, both principal and interest, and to meet the expenses above mentioned, the trustees shall first of all use, every year, the proceeds of special house to house collections on Sunday, and afterwards, if necessary, take the surplus, to the amount of fifty per cent. of the yearly receipts over the yearly expenses, both ordinary and extraordinary, of the *fabrique*. Additional assessment. Special collections.

10. When the revenues mentioned in section 9 of this act are insufficient, the amount of the deficit shall then be levied by assessment as above enacted. Provision for deficit.

11. The deed of assessment shall be based on the municipal valuation roll of the city of Lachine in force on Basis of assessment.

the first of December preceding the date when each payment becomes due.

Annual assessment roll.

An assessment roll shall be drawn up every year; it shall not be submitted for homologation by the civil commissioners acting under the Revised Statutes, 1909.

Montreal valuation roll to serve in certain case.

If any portion or the whole of the territory of the parish should be annexed to the city of Montreal, the municipal valuation roll of the city of Montreal, then in force, shall serve as the basis for the said yearly assessment, *mutatis mutandis*.

Deposit of assessment roll.

12. Such assessment roll shall be deposited on or before the first of May of each year in the office of the secretary, where the interested parties may take communication of the same, at the hours specified by the trustees, and it shall be homologated by the trustees on the day and at the hour they may fix by a notice publicly read and posted up on the door of the parish church, at least eight days beforehand, and such homologation shall have the same effect as the homologation by the civil commissioners acting under article 4335 of the Revised Statutes, 1909.

Notice.

When amount payable.

13. The amount to be levied every year shall be exigible and payable on the first of July, each year, in future; and the first payment shall be exigible on the first of July, 1918.

Delay for payment.

14. Payments made within fifteen days of their maturity shall be allowed a discount of three per cent, if the trustees deem the same advisable, and payments not made within thirty days of their maturity shall bear interest at six per cent per annum.

Discount.

Moneys to be deposited.

15. The moneys derived from the assessment, the loan, and generally all the moneys destined for the payment of the debt and for the work above mentioned, shall be deposited in a chartered bank, chosen by the trustees, and shall be withdrawn therefrom only upon the joint signatures of the *curé* and churchwarden in office.

Hypothecation as security for loans.

16. The trustees may hypothecate the said church and sacristy and the grounds on which they are built, and may transfer any assessment to secure the payment of the said loans and debentures; if the loan is effected by means of debentures, such hypothec may be given to one or more trustees as security for the payment of the said debentures, and, after having been registered, it shall be a valid security in favour of the holders of its debentures.

17. The church and sacristy shall be insured, while Insurance. building or after they are built, against fire or any other risk of destruction; and the insurance policies may be transferred as additional security for the loans.

18. Suits for the recovery of the sums entered in the assessment roll, shall be taken in the trustees' name as Suits in name of trustees. set forth in paragraph 1 of article 4341 of the Revised Statutes, 1909.

19. The trustees may also collect and recover the Arrears. arrears due on the 7th October, 1915, on any assessment levied under the act 8 Edward VII, chapter 141; and the said act shall be of no effect as regards any other object.

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

Such meetings shall be held like churchwarden's meetings, Minutes. and the minutes thereof shall be entered in the minute-book of the *fabrique*. The quorum of such meetings shall be three.

When the votes are evenly divided, the *curé* shall, in Casting-addition to his vote as trustee, have a casting-vote as vote. chairman.

21. The trustees may appoint a secretary with a Secretary. remuneration, and obtain security, up to at least two thousand dollars, for such officer, at their expense.

22. The accounts shall be rendered and approved on Accounts. or before the first of February of every year.

23. Nothing in this act shall be interpreted as restrict- Borrowing- ing the general power of the *fabrique* to contract loans. power.

24. When the final accounts are rendered, the *curé* in Rendering charge and the churchwardens in office shall be sub- of final stituted for the trustees, and shall have all the rights, accounts. powers, privileges and obligations conferred upon the trustees by this act.

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