

C H A P. 120

An Act respecting the building of a church and presbytery in the parish of *Très Saint Rédempteur, de Montréal*

[Assented to 22nd December, 1916]

Preamble.

WHEREAS the *curé* and churchwardens of *l'oeuvre et fabrique* of the parish of *Très Saint Rédempteur, de Montréal*, have by their petition represented:

That it is urgent in the welfare of the parish that a church and presbytery be built as soon as possible;

That the parish already possesses land for such purpose;

That it is desirable that special legislation be adopted respecting the building of the church and presbytery and for effecting the loans which may be required therefor;

That the law governing *fabriques* does not permit of the repayment of such loans by annual assessments based on the municipal valuation rolls of the localities in which the territory of the *fabrique* is situated;

That the territory over which the *fabrique* of the parish of *Très Saint Rédempteur de Montréal* has jurisdiction is already covered with many dwellings, the vacant lots are being rapidly built upon, and the valuation of the property will increase ;

That to lighten the burden of the assessments to be imposed for the above mentioned buildings, and to allow of facility in alienating immoveables in the locality, it is expedient that the general law be derogated from, so as to allow the *fabrique* to levy annually on the property of Catholics, according to the amount of their municipal valuation every year, the sums required for the repayment of the loans needed for paying the cost of the said buildings;

That the freehold inhabitants have unanimously approved the said petition;

Whereas it is prayed that an act to that effect be passed, 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 created.

1. The parish priest of the parish of *Très Saint Rédempteur, de Montréal*, the three churchwardens of *l'oeuvre et fabrique* of the said parish, in office, as well as the former churchwardens, are, for the purposes of this act, incorporated under the name of the "Trustees of the parish of *Très Saint Rédempteur, de Montréal*."

Name.

2. The trustees above-mentioned are authorized to ^{Loan} effect a loan not exceeding two hundred thousand dollars, ^{authorized.} at a rate of interest not exceeding six per cent per annum, which shall be devoted to the building of a church and presbytery within the limits of the said parish.

3. The loan above mentioned may be effected wholly ^{How to be} or partly for a term or for different terms, of not more ^{effected.} than forty years, by a notarial deed or by an issue of bonds or debentures, with a sinking-fund. It may also be reimbursed by annuities if it be deemed preferable to do so.

4. The trustees may, every year during a period not ^{Assessment} exceeding forty years, by an act of assessment upon all ^{to be levied.} the immoveables of the parish belonging to Roman Catholics, whether they reside in the parish or not, levy an assessment the rate whereof shall be proportionate to the annual municipal valuation for the sum required to provide for the payment of interest and for a sinking-fund or annuities, as the case may be; also for the payment of the costs occasioned by the apportionment, by the negotiation of the loan and by the passing of this act, as well as for the payment of all other costs and disbursements which may be entailed through the building of such church and presbytery.

5. The amount of the assessment shall constitute a ^{Privileged} first privileged debt upon immoveables, in accordance ^{debt.} with article 4349 of the Revised Statutes, 1909; but the immoveables of the freehold inhabitants shall not be affected, nor shall the freehold inhabitants themselves be liable for more than the payments due on the assessment as above established.

6. For the purposes of this act, the trustees may appoint ^{Secretary.} a secretary, and pay him such salary as they deem expedient, out of the proceeds of the apportionment.

7. A new act of assessment shall, if the trustees so ^{Basis of} decide, be made out every year, and it shall be based on ^{act of} the valuation roll of the city of Montreal in force on the 1st ^{assessment.} of November preceding the date when the payments to be ^{every year.} effected become due. Such act of assessment shall be deposited on or before the 15th of November of each year, in the office of the trustees' secretary, where the interested parties may take communication of the same at such hours as may be fixed by the trustees, and it shall be homologated by the said trustees on the day and at the hour they may

specify by notice, publicly read and posted up on the door of the church or chapel of the parish, at least eight days beforehand. Such homologation shall take place in the same manner, *mutatis mutandis*, and shall have the same effect as the homologation by the civil commissioners under article 4335 of the Revised Statutes, 1909.

When to commence to run, and when payable.

8. The assessment shall commence to run from the 1st of July of each year, beginning on the 1st of July, 1917, and the amount thereof shall be exigible and payable at the secretary's office on the 1st of December of each year. The first payment shall be made on the 1st of November, 1917. Interest at the rate of six per cent per annum shall be charged on assessments not paid within thirty days from the date they are due.

Moneys to be deposited.

9. The moneys derived from the assessment or from temporary loans, and generally all moneys destined for the payment of the debt and of the works above mentioned, shall be deposited in a chartered bank chosen by the trustees, and cannot be withdrawn therefrom except over the signatures of the parish priest and of the senior churchwarden in office.

Suits, how taken.

10. Suits for the recovery of the amounts entered in the act of assessment shall be taken in the name of the trustees, in the manner set forth in article 4341 of the Revised Statutes, 1909.

Insurance.

11. The trustees may insure the buildings against fire and other risks, out of the proceeds of the assessment.

Hypothecation.

12. To secure the repayment of the loan, both principal and interest, the trustees may hypothecate the church and presbytery, and transfer the assessment above mentioned.

Loans authorized.

13. The trustees are authorized to effect, on the security of the assessment, such loans as they may deem advisable for carrying out the work of building, provided the total amount so borrowed shall not exceed the sum of two hundred thousand dollars.

Aid by the *fabrique*.

The *fabrique* of the parish of Très Saint Rédempteur is authorized to aid, with its moneys, the payment of the interest and repayment of the amounts borrowed by the trustees, provided that in no case shall such aid exceed the annual surplus of receipts over all the expenses of the said *fabrique*.

Plans and

14. The trustees may have plans and specifications

prepared of the church and presbytery to be built, and call for tenders, enter into contracts, supervise the works, enter into and maintain any contestation that may be deemed advisable, and generally do all things necessary for attaining the objects of this act.

15. The parish priest may convene a meeting of the trustees by sending a letter to each of them, at least one clear day before such meeting.

Such meetings shall be held like all other churchwardens' meetings, and the proceedings shall be entered in the minute-book of the proceedings of the *fabrique*; the quorum of such meetings shall be five.

When the votes are equally divided, the parish priest shall, in addition to his vote as trustee, have a casting-vote as chairman.

16. In addition to the powers specially conferred upon them by this act, the trustees shall have all the powers and privileges granted to corporations of trustees under the Revised Statutes, 1909.

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

CHAP. 121

An Act to amend the act respecting the building of a church in the parish of St. Arsène de Montréal

[Assented to 22nd December, 1916]

WHEREAS the trustees of the parish of St. Arsène de Montréal have, by petition, represented:

That they were duly incorporated by the act 5 George V, chapter 136, intituled "An Act respecting the building of a church in the parish of St. Arsène de Montréal", assented to on the 5th of March, 1915;

That by such act they were authorized to effect a loan of not more than two hundred thousand dollars, at the best possible rate of interest, to be used in building and furnishing a church within the limits of the said parish;

That it has since been considered in the interest of the parish, owing to the present condition of the money market, that it would be preferable and more advantageous to not proceed at once with the complete building of the said church, but to build only a basement whose found-