

## C H A P . 93

An Act respecting the building of the basement of a church,  
a sacristy and a presbytery in the parish of Saint-Jean  
Baptiste de la Salle.

[Assented to 9th March, 1916]

**W**HEREAS the *curé* and churchwardens of *l'œuvre et Preamble.*  
*fabrique* of the parish of Saint-Jean-Baptiste de la  
Salle, of Maisonneuve, have by their petition represented:

That the territory over which the *fabrique* of the parish  
of Saint Jean-Baptiste de la Salle has jurisdiction, has con-  
siderably increased;

That it is urgent for the welfare of the parish to build  
as soon as possible on the land held by the *fabrique* for such  
purpose, the basement of a church, a sacristy and a pres-  
bytery, and to provide for the furnishing of the same;

That the said basement of the church is now being  
built;

That it is necessary to have special legislation passed  
to provide for the payment of the land purchased by the  
said *fabrique*, with the approval of the Ordinary, for the  
construction of the said basement of a church, a sacristy  
and a presbytery, and the furnishing of the same, by bor-  
rowing the necessary amount for such purpose;

That in order to lighten the burden of the assessment  
to be imposed for the erection of the aforesaid buildings,  
and to facilitate the alienation of the immoveables, it is  
expedient that the general law be derogated from, to enable  
the *fabrique* to levy annually upon the properties belonging  
to the Catholics, according to the amount of the municipal  
valuation every year, the sums required to pay the cost of  
the said buildings;

That the freehold inhabitants have approved the said  
petition;

Whereas it is expedient that an act to that effect be  
passed, and to grant the prayer 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:

**1.** The *curé* of the parish of Saint Jean Baptiste de la Corporation  
Salle, and the three churchwardens in office of the *œuvre* constituted.  
*et fabrique* of the said parish, elected according to law, are,  
for all the purposes of this act, constituted a corporation

Name. under the name of the "Trustees of the parish of Saint-Jean Baptiste de la Salle."

Loan authorized. **2.** The trustees above mentioned are authorized, as security for the assessment imposed by this act, to effect a loan not exceeding two hundred thousand dollars, which shall be devoted to the building of the said basement of a church, a sacristy and a presbytery, and the furnishing thereof, and to provide for the payment of the land already acquired or to be acquired, for the purposes above mentioned. The conditions of the loan shall be approved by the Ordinary.

How loan shall be made. **3.** The loan above mentioned may be negotiated for a term not exceeding forty years by contract or deed of obligation before a notary, or by means of an issue of bonds or debentures with a sinking-fund, or otherwise, subject to the provisions of section 16 hereinafter enacted; it may also be repaid by annuities as may be found preferable.

Proviso. If a loan is made for a shorter term than forty years, new loans may be made and new bonds issued from time to time; but the proceeds of such loans or bonds shall be used for the payment of such preceding loans, or for the bonds previously issued.

Assessment to be levied. **4.** The trustees may levy every year, during a period not exceeding forty years, by assessment upon all the immoveables belonging to the Roman Catholics, whether they reside in the said parish or not, an amount sufficient to pay the principal, 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 salary of the secretary, and by the passing of this act, as well as all other costs incurred, provided the immoveables of the said freehold inhabitants, and of the said proprietors shall not be affected, and that the said freehold inhabitants, and the said proprietors themselves shall not be liable for more than the amount of the payment due for the said assessment, except as hereinafter enacted.

Basis of assessment. **5.** The said act of assessment shall be based upon the municipal valuation roll of the city of Maisonneuve in force on the first of December preceding the maturity of each of the said payments.

Homologation. A new act of assessment shall be made every year, and shall not be subject to homologation by the civil commissioners appointed and acting under the Revised Statutes, 1909.

In the event of annexation of a portion or the whole of the territory of the parish to the city of Montreal, the municipal valuation roll of the city of Montreal then in force shall serve as a basis for the said annual assessment, *mutatis mutandis*. In case of annexation to Montreal.

**6.** Such act of assessment shall be deposited on or before the first of May of every year in the secretary's office, where the persons interested may take communication thereof, at such hours as may be fixed by the trustees, and it shall be homologated by the trustees on such day and at such hour as they may determine by a notice read publicly, and posted up on the church door of the parish, at least eight days beforehand. Deposit of act of assessment. Homologation.

Such homologation shall have the same effect as the homologation by the civil commissioners acting under article 4335 of the Revised Statutes, 1909. Effect of homologation.

**7.** The amount to be levied every year shall be exigible and payable on the first day of July of each year hereafter; the first payment shall be exigible on the first of July, 1916. Payments when exigible.

**8.** A discount of three per cent shall be allowed on all payments made within fifteen days from their maturity, if the trustees deem the same advisable, and interest at six per cent per annum shall be charged on payments not made within thirty days from their maturity. Discount. Interest.

**9.** The moneys derived from the assessments, 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 shall be withdrawn from the same only upon the joint signatures of the *curé* and churchwardens in office. Deposit of proceeds.

**10.** Suits for the recovery of the amounts shown in the act of assessment shall be taken in the name of the trustees in the manner enacted in article 4341 of the Revised Statutes, 1909. Suits in name of trustees.

**11.** The trustees shall keep the said buildings insured against fire and other risks, and they may do so out of the proceeds of the assessment, and transfer the said insurance policies as security to the lenders or their trustees. Insurance.

**12.** To secure the repayment of the loan, both principal and interest, the trustees may hypothecate the said base-ment of a church, sacristy and presbytery, and transfer the assessment above mentioned. Property may be hypothecated.

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

**General powers of trustees.** **14.** The trustees may have plans and specifications prepared, call for tenders, enter into contracts, supervise the works, enter into and continue all such contestations as they may deem expedient, and generally do everything that may be necessary for the attainment of the object of this act.

**Approval of Ordinary.** **15.** The plans of such basement of a church, sacristy and presbytery, as well as the specifications thereof, shall be approved by the Ordinary, previous to being carried out.

**Use to which assessment must be put.** **16.** During the first ten years, the assessment shall be used only to pay the interest on the amount borrowed, if the trustees deem it advisable to borrow on such conditions; and in that case, after such period of ten years, the annual assessment must be used to pay the interest and sinking-fund.

**Assistance from fabrique. Proviso.** **17.** The *fabrique* of the said parish shall assist with its own moneys in paying the interest and in the repayment of the said loan, provided such assistance shall in no case exceed the surplus of the receipts for all expenses whatsoever of the said *fabrique*.

**Calling of meeting.** **18.** The *curé* of the parish may convene the trustees at a meeting, by a letter addressed to each one of them, at least one clear day before such meeting.

**Proceedings.** Such meetings shall be held in the same manner as those of churchwardens, and the proceedings shall be entered in the minute book of the *fabrique*. The quorum of such meetings shall be three.

**Quorum.** If the votes are equally divided, the *curé* shall, in addition to his vote as trustee, have a casting-vote as chairman.

**Casting-vote.** **19.** All powers, rights, and obligations contained in the general law, respecting corporations of trustees, shall apply to the trustees of the parish, except where such rights and obligations are inconsistent with this act.

**General powers.** **20.** The trustees may appoint a secretary and give him a remuneration, and they shall, at their own expense, get a security bond of at least two thousand dollars for such officer.

**Secretary.**

**21.** The accounts must be rendered and approved Accounts.  
on or before the first of February of every year.

**22.** Nothing in this act shall be interpreted as restrict- Borrowing  
ing the general powers of the *fabrique* for contracting power of  
loans. fabrique  
not re-  
stricted.

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

## CHAP. 94

An Act to authorize the building of a church, sacristy,  
presbytery and dependencies in the parish of Ste.  
Marie de Monnoir.

[Assented to 9th March, 1916]

**W**HEREAS the *curé* and churchwardens of *l'oeuvre* Preamble.  
*et fabrique* of the parish of Ste. Marie de Monnoir,  
in the district and Roman Catholic diocese of St. Hyacinthe,  
have, by their petition, represented:

That the church and sacristy of the said parish were  
destroyed by fire in March, 1907;

That some time afterwards a wooden chapel was built  
and has served for the purpose of divine worship in the  
said parish ever since;

That such chapel now needs considerable repairs, and  
it would be better to build a church and a sacristy than  
to incur the expense of such repairs;

That, moreover, the present presbytery and dependencies  
have long been uninhabitable, and it is absolutely necessary  
to replace them by new buildings;

That in order to render all such work less burdensome,  
it is desirable that a long term loan be effected to pay the  
cost of the same, to impose every year, for the repayment  
of such loans, an assessment based upon the valuation roll  
of the municipalities constituting the *fabrique* of the said  
parish, to render the properties liable only for the payment  
of the yearly assessment due, and to substitute the *curé*  
and churchwardens of *l'oeuvre et fabrique* for the trustees  
of the parish;

That it is accordingly necessary to have a special act  
passed for such purposes;

That the Ordinary of the diocese and a very great majori-  
ty of the freeholders have approved of the present mode  
of proceeding;