

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]

WHEREAS 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;

Whereas the said petition has asked for the passing of an 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:

Incorporation of trustees.

Name.

1. The *curé* and churchwardens in office of *l'oeuvre et fabrique* of the parish of Ste. Marie de Monnoir, as well as their successors in office, are hereby constituted a distinct corporation, under the name of "The Trustees of Ste. Marie de Monnoir"; 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, sacristy, presbytery and dependencies upon the land purchased for such purpose by the *fabrique*, on such part as may be decided by the Ordinary of the diocese.

Manner in which work to be done.

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.

The plans, specifications and all contracts shall be approved by the Ordinary of the diocese, all of whose rights and powers can be in no wise restricted by this act.

Loan authorized.

4. To pay the cost of the work to be done, the trustees are authorized to borrow an amount not exceeding one hundred and fifty thousand dollars, in one or more loans, from one or more persons, corporations or institutions, at a rate of interest not exceeding six per cent per annum, at terms of repayment not exceeding fifty years.

Nothing in this act shall be interpreted as restricting the general borrowing powers of the *fabrique*.

How loan to be made.

5. Every loan may be effected by notarial deed, or by an issue of bonds or debentures, with a sinking-fund; it may also be repayable by annuities as may be found preferable.

Approval by Ordinary.

The conditions of every loan must be approved by the Ordinary of the diocese.

Hypothecation.

6. To secure the repayment of the loan or loans, the trustees may hypothecate the church, sacristy, presbytery and dependencies.

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

8. To effect the repayment of the loans, both in capital and interest, the trustees shall, first of all, use every year all the funds derived from the generosity of the public and collected by the *fabrique* for such purposes, such as the special collections established in 1913, subscriptions and voluntary gifts, bazaars, performances, charitable entertainments etc., and may afterwards, if necessary, take the surplus of the revenues over the yearly expenses, both ordinary and extraordinary, of the *fabrique*. Funds to be used for repayment of loans.

9. When the above-mentioned receipts of any one year are insufficient, the deficit shall be levied by assessment upon all the immoveables belonging to Roman Catholics, whether resident or non-resident, situate in the territory of the said parish of Ste. Marie de Monnoir, comprising the town of Marieville, with the exception of the property of the *fabrique*, of the buildings used for public worship and educational and charitable institutions, and the lands on which they are situated. Assessment.

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

11. The act of assessment shall be made during the month of August or immediately afterwards, and shall be based on the valuation roll then in force of each of the municipalities in which are situated the immoveables taxable under this act. When act of assessment to be made.

The act of assessment shall come into force without any other formality, eight days after it has been signed by the *curé* and at least two of the churchwardens, and after public notice of the place of its deposit and of its collection has been read from the pulpit at high mass on Sunday, and posted up on the door of the place of worship on the same day. When it shall come into force.

12. The act of assessment shall contain the number of each immoveable, the name of the municipality where it is situated, a description of the owner and his residence, the rate and amount of the assessment upon each immoveable, and no other detail shall be necessary. Contents.

Rolls to be amended in certain cases.

13. If the valuation rolls in force in the municipalities forming a portion of the said parish, or any one of them, cannot, in the opinion of the trustees, serve for an equitable apportionment among the Catholics of the various municipalities, the trustees shall be empowered, and it shall be their duty to amend such roll or rolls, or to prepare one or more others, as the case may be, to serve for the purpose of the act of assessment.

Deposit of roll.

14. Such roll or rolls, so amended or prepared, shall be deposited during eight days in the office of the secretary-treasurer of the trustees, and notice shall be given in the manner above stated, mentioning the day, place and hour at which the trustees shall take written complaints into consideration. At the hour specified in the notice the trustees may, upon every complaint, hear the parties interested and their evidence, administer oaths and take cognizance of all the evidence produced. The trustees shall have power to correct any wrong valuation at the same sitting, and in such manner as they may deem fair and equitable.

Complaints.

Coming into force of roll.

Such roll or rolls so made, amended, examined and corrected shall be signed by the trustees present, and shall come into force on the same day without any other formality.

Assessment, when payable.

15. The assessment shall be payable at the office of the secretary-treasurer of the trustees, within thirty days from the coming into force of the act of assessment, and, at the expiration of such delay, interest at the rate of seven per cent per annum shall be charged.

Assessment a privileged debt.

16. The amount of assessment shall constitute a first obligation and first privileged debt on the immoveable, in accordance with article 4349 of the Revised Statutes, 1909, but the owners shall be liable and the immoveables shall be affected only to the extent of the amount due, both capital and interest.

Prescription.

17. All assessments imposed shall be prescribed by five years.

Secretary-treasurer.

18. The trustees shall appoint and may remunerate a secretary-treasurer, whose duties shall consist in keeping the minute-book of the proceedings, and a book of receipts and expenses, in making acts of assessment or others, in collecting the assessments and other amounts due, and in performing all other duties imposed upon him by the trustees.

He shall take an oath of office, and give a guarantee for at least fifteen thousand dollars.

All extracts and copies certified by him shall be legal proof of their contents.

19. The meetings of the trustees shall be convened ^{Meetings} by the secretary-treasurer at the request of the *curé* or ^{of trustees.} or of two of the churchwardens by a written notice served or sent by registered letter at least two clear days before the meeting; such notice must mention the object and hour of the meeting.

The quorum shall be three members.

The *curé* shall be the chairman *ex-officio*, and have both an ordinary vote and a casting-vote. In the absence of the *curé* a chairman shall be chosen from among the members present, and when the votes are equal, by drawing lots.

The meetings shall be held in the office of the secretary-treasurer, or at any other place fixed by resolution.

20. Every appeal from the decision of the trustees ^{Appeal to} shall be taken by petition before the Circuit Court, whose ^{Circuit} jurisdiction in the matter shall be exclusive and without ^{Court.} appeal. The appeal must be taken within eight days following the decision complained of; after such delay, all recourse is absolutely forbidden. The petition shall not be presented until six days after it has been received.

Every service shall be validly made upon the *curé* or upon the secretary-treasurer.

The corporation shall have its office at the same place ^{Office.} as that of the *fabrique*, or at any other place determined by resolution.

21. The books and accounts of the secretary-treasurer ^{Audit of} shall be examined and audited every year, in December, ^{accounts.} by a person appointed by the trustees for the purpose; a detailed report of such audit shall be made to the trustees, and after having been approved shall be sent to the *fabrique* of the parish of Ste. Marie de Monnoir and to the Ordinary of the diocese.

22. The trustees are authorized to effect, on the security ^{Temporary} of the assessment, such loans as they may deem necessary, ^{loans.} provided the total amount so borrowed does not exceed the amount of the assessment.

23. The corporation shall remain in existence for the ^{Existence} whole period required for the carrying out of the projected ^{of corpor-} works and repaying the amounts borrowed to pay the cost ^{ation not} ^{perpetual.}

of the same; when its object is accomplished, the said corporation shall obtain its discharge, at a general meeting of the *fabrique* convened for such purpose, and in the same manner as such meetings are usually called, by rendering an account of its operations and delivering up the books and papers in its possession, as well as the money which may remain in its hands.

Coming into force. **24.** This act shall come into force on the day of its sanction.

C H A P . 9 5

An Act to amend the charter of the Natural History Society of Montreal.

[Assented to 16th March, 1916]

Preamble.

WHEREAS The Natural History Society of Montreal has presented a petition praying for the amendment of its charter as contained in the act 2 William 4, chapter 65, of the Statutes of Lower Canada, as amended by the act 22 Victoria, chapter 118 of the Statutes of Canada, and further amended by the act 25 Victoria, chapter 102, of the Statutes of Canada; and whereas it is further represented that the objects of said society would be accomplished with greater efficiency and in a much more economical manner if the society were empowered to hold property in indivision with any other corporation having objects similar, in whole or in part, to those of the society, and to borrow money and to hypothecate its immoveable property for the repayment of any sums borrowed;

And whereas it has prayed for the passing of an act to that effect and to give the said society more ample powers; and 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:

2 Wm. IV,
c. 65, am.

1. The first section of the act 2 William 4, chapter 65, as above amended, is replaced by the following:

“It is hereby enacted by the authority of the same, that the several persons who now are or who from time to time may become members, according to the rules and regulations of the said society, shall be and are hereby declared, ordained and constituted a body corporate and politic by the name of “The Natural History Society of Montreal”, and by that name they and their successors shall and may

Incorporation.

Name.