

avenue, on the south by a line to be drawn about forty feet from the wall of the sacristy of the parish church, on the west, by the land of the palisades, which lot of land is known and designated on the official plan and book of reference of the cadastre of the parish of St. Pie, as part of lot No. 493"—by deed before Mr. G. D. Morin, notary, at St. Pie, dated the 22nd April, 1913, under No. 1034 of the minutes and repertory of the said notary.

3. If, in the course of any work which may be later done in consequence of the said new destination of the property, other bodies should be discovered in the former cemetery, such bodies shall be conveyed to and reinterred in the present cemetery. Bodies to be buried in present cemetery.

4. Notwithstanding the provisions of article 481 of the Civil Code, the gift of usufruct, dated the 22nd April, 1913, by *l'œuvre et fabrique* of the parish of St. Pie, to the school board of the parish of St. Pie, and bearing the number one thousand and thirty-four of the minutes of Mr. Georges Dorèze Morin, N. P., shall be valid for a period of more than thirty years, and shall be valid and have force and effect as long as the obligations contracted by the said school corporation, in virtue of the said deed of gift, are observed. Ratification of certain gift of usufruct.

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

C H A P . 1 3 4

An Act respecting the building of the church, sacristy and presbytery of the parish of St. Pierre Claver.

[Assented to 5th March, 1915]

WHEREAS the parish priest and churchwardens of Preamble.
l'œuvre et fabrique of the parish of St. Pierre Claver have by their petition represented:

That it is urgent for the well-being of the parish that a church and sacristy, including a chapel and presbytery, be built as soon as possible on the land held by the *fabrique* for that purpose;

That it is necessary that special legislation be adopted to provide for the payment for the lots purchased by the said *fabrique* with the approval of the ordinary, for the building of the said church, sacristy and presbytery, by borrowing the moneys necessary to that end;

That the law governing *fabriques* does not allow of such loans being repaid out of the yearly assessments based on the municipal rolls of the localities within which the territory of *fabriques* is situated;

That the territory over which the *fabrique* of St. Pierre Claver has jurisdiction, is rapidly developing and being covered with many dwellings year by year, and consequently the valuation will increase every year;

That, in order to lessen the burden of the assessment leviable for the erection of the buildings above mentioned, and to allow of the easy alienation of immoveables in the locality, it is expedient to derogate from the general law to enable the *fabrique* to levy annually on the property of Catholics, according to their municipal valuation, the sums required for repaying the necessary loans to pay the cost of the aforesaid buildings;

That the freehold inhabitants have unanimously approved the said petition;

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

Loan
authorized.

1. *L'œuvre et fabrique* of the parish of St. Pierre Claver, in the city of Montreal, now civilly recognized, acting by the parish priest and the old and new churchwardens, is hereby authorized to effect a loan for an amount not exceeding three hundred and fifty thousand dollars, at the best possible rate of interest, which loan shall be devoted to paying for the lands purchased by the said *fabrique*, with the approval of the Ordinary, and for the cost of building a church, a sacristy, including a chapel, and a presbytery in the said parish, and also for the furnishing and maintenance of the said church; to that end the parish priest and churchwardens of the said *œuvre et fabrique* are authorized to exercise all the powers granted by law to corporations of trustees for the construction of churches, except in so far as this act may derogate therefrom.

Manner of
making loan.

2. The said loan of three hundred and fifty thousand dollars may be effected, either by means of a direct loan by contract or by means of debentures, with or without annuities as may be deemed preferable.

Hypotheca-
tion author-
ized.

3. The said parish priest and churchwardens of *l'œuvre et fabrique* may hypothecate or give the lands and build-

ings above mentioned as security for the payment of the loan or debentures; if the loan is effected by means of debentures such hypothec may be given to one or more trustees, and after being registered it shall be a valid security in favour of the holders of its debentures.

4. The loan or debentures which the *fabrique* is authorized to effect or issue under this act, shall be made payable within a period not exceeding fifty years. Term of loan.

5. In order to pay such loan, including commission, the salary of the secretary hereinbelow mentioned and the insurance premiums on the buildings which the *fabrique* is hereby authorized to erect, *l'œuvre et fabrique* is authorized to levy yearly during fifty years on the immoveables of the Catholic freehold inhabitants of the said parish, an assessment the rate whereof shall be in proportion to the annual municipal valuation hereinbelow mentioned of the property assessed and of the amount to be collected yearly; provided the immoveables of the freehold inhabitants shall not be affected nor the latter be liable beyond the amount of the payments due on the said assessment. Assessment to be levied.

6. The act of assessment shall be based annually on the valuation roll of the city of Montreal in force on the first of November preceding the date when each of such payments becomes due; the said act of assessment shall be deposited on or before the 15th November of each year in the office of the secretary of the *fabrique*, where the interested parties may take communication thereof on the day and hour appointed by the *fabrique*, and it shall be homologated by the said *fabrique* on the day and hour appointed in the notice publicly read and posted on the door of the church and chapel of the parish at least eight days previously. This homologation shall to all intents and purposes replace the homologation by the civil commissioners acting under article 4335 of the Revised Statutes 1909. Based on valuation roll of city of Montreal. Homologation.

7. The amount leviable each year shall be exigible on the first of December. The said *fabrique* shall have the right to date back its assessment to the first of January, 1914. When exigible.

8. Payments not made within thirty days of the date when they become due shall bear interest at the rate of six per cent. Interest on overdue payments.

Temporary loans.

9. The *fabrique* may, on the security of the assessment, make such temporary loans as it may deem necessary for the performance of the construction works, provided that the total sum so borrowed shall not exceed the said sum of three hundred and fifty thousand dollars.

Salary to secretary.

10. The *fabrique* is authorized to pay a salary to a secretary for the purposes of the assessment.

Where payments to be made.

11. All payments on the assessment shall be made at the office of the secretary appointed for the purpose by the *fabrique*.

Secretary to give security.

12. The *fabrique* may exact security from the secretary for the faithful performance of his duties; the amount thereof shall not be less than one thousand dollars.

Approval of Ordinary for plans, &c.

13. The plans of the church, sacristy and presbytery, the building whereof is hereby authorized, as well as the specifications, shall be approved by the Ordinary of the archbishopric of Montreal previous to their execution.

Quorum of *fabrique*.

14. The quorum of the *fabrique* for carrying out the provisions of this act shall consist of the parish priest and three churchwardens in office.

Calling of meeting.

15. The parish priest or the three churchwardens in office may call a meeting of the churchwardens of *l'œuvre et fabrique*, for the purposes of this act, by a letter with one clear day's notice.

Insurance.

16. The *fabrique* may keep the above-mentioned buildings insured against fires or other risks, and transfer the same as security to the bondholders or trustees.

Fabrique may aid in payment. Proviso.

17. The *fabrique* of the said parish is authorized to aid, out of its moneys, the payment of the interest and repayment of the loan, provided such aid shall in no case exceed the annual surplus of receipts over all expenses of the *fabrique*.

Additional powers.

18. Besides the powers specially granted by this act, the *fabrique* shall enjoy all the rights, powers and privileges granted to corporations of trustees formed under the Revised Statutes, 1909.

Coming into force.

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