

powers of trustees. prepared, call for tenders, make contracts, superintend the works, begin and maintain all contestations they may deem necessary, and generally perform all necessary acts to attain the object of this act.

Approval of Ordinary. **17.** The plans of the church, sacristy and presbytery, as well as the specifications, shall be approved by the Ordinary of the Archbishopric of Montreal previously to being carried out.

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

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

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

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

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

Exception. **21.** Nothing in this act shall be interpreted as restricting the general power of the *fabrique* to contract loans.

Borrowing power of *fabrique* not restricted. **22.** This act shall come into force on the day of its sanction.

Coming into force.

## CHAP. 136

An Act respecting the building of a church in the parish of St. Arsène, Montreal.

[Assented to 5th March, 1915]

Preamble. **W**HEREAS the parish priest and churchwardens of l'Oeuvre et *fabrique* of the parish of St. Arsène, Montreal, have by their petition represented:  
That it is urgent for the well-being of the parish to build,

as soon as possible, a church on the land held by the *fabrique* for that purpose;

That it is desirable that special legislation be passed in connection with the building of the said church, and the method of effecting the loans which will be necessitated thereby;

That the law governing *fabriques* does not allow such loan to be reimbursed by the annual assessment based on the municipal valuation rolls of the locality in which the territory of the *fabrique* is situated;

That the territory over which the *fabrique* of the parish of St. Arsène, Montreal, has jurisdiction, is rapidly developing, and is being covered year by year with many dwellings, and that consequently the valuation will increase yearly;

That to lighten the burden of the assessments leviable for the construction of the building above mentioned, and to facilitate the alienation of immoveables in the locality, it is expedient that the general law be derogated from, in order to allow the *fabrique* to levy annually, upon the property of the Catholics, according to the amount of their municipal valuation in each year, the necessary sums for meeting the repayment of the loans which are necessary to pay the cost of the aforesaid building;

That the freehold inhabitants have unanimously approved of the said petition;

Whereas it has 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:

**1.** The parish priest of St. Arsène de Montréal and the three churchwardens in office of *l'oeuvre et fabrique* of the said parish, elected according to law, are, for all the purposes of this act, constituted a corporation under the name of "The Trustees of the parish of St. Arsène de Montreal". <sup>Incorporation of trustees.</sup>

**2.** The trustees above mentioned are authorized to effect <sup>Loan</sup> a loan not exceeding two hundred thousand dollars, at the <sup>authorized.</sup> best possible rate of interest, which shall be devoted to the building and furnishing of a church within the limits of the said parish.

**3.** The loan above mentioned may be effected for a <sup>Term of</sup> period of forty years, by notarial deed or by the issue of <sup>loan.</sup> bonds or debentures with a sinking-fund or otherwise. It may also be repaid by annuities if it be deemed preferable.

Annual  
assessment.

**4.** The trustees may levy every year, during a period not exceeding forty years, by act of assessment upon all the immoveables of the parish belonging to Roman Catholics, whether they reside or not in the said parish, by an assessment the rate whereof shall be proportionate to the yearly municipal valuation, the sum required to provide for the payment of the interest and sinking-fund or annuities, as the case may be, and to the payment of the costs occasioned by the said assessment, by the negotiation of the loan and by the passing of this act, as well as the payment of all other costs and disbursements which the building of the said church may entail.

Assessment  
to be first  
lien on im-  
moveables.

**5.** The amount of the assessment shall constitute the first lien and the first privileged debt on the immoveables in accordance with article 4349 of the Revised Statutes, 1909; but the immoveables of the freehold inhabitants shall not be affected, and the freehold inhabitants themselves shall not be liable for more than the amount of the payment due on the assessment above set forth.

Secretary.

**6.** For the purposes of this act, the trustees may appoint a secretary, and pay him such salary as they deem suitable out of the proceeds of the assessment.

New act of  
assessment  
to be made  
every year.

**7.** Every year a new act of assessment shall be made which shall be based upon the valuation roll of the city of Montreal, in force on the 1st November preceding the maturity of the payments to be made, and the said act of assessment shall be deposited on or before the 15th November of each year in the office of the trustees, where the interested parties may take communication thereof at the hours appointed by the trustees; and it shall be homologated by the said trustees on the day and on the hour appointed in the said notice publicly read and posted on the door of the church or 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.

Homologation.

When to  
begin to run.

**8.** The assessment shall begin to run from the 1st of July in each year, beginning the 1st of July, 1915, and the amount thereof shall be exigible and payable at the secretary's office on the 1st of December of each year. The first

Interest.

payment shall be made on the 1st of November, 1915. Interest at the rate of six per cent per annum shall be charged upon payments not made within thirty days from the date of their maturity.

**9.** The proceeds of the assessment or apportionment <sup>Proceeds to</sup> of temporary loans, and generally all moneys destined to <sup>be deposited.</sup> the payment of the debt and of the work above mentioned, shall be deposited in a chartered bank chosen by the trustees, and cannot be withdrawn therefrom, except upon the signatures of the parish priest and of the senior churchwarden in office.

**10.** Suits for the recovery of sums mentioned in the act <sup>Suits.</sup> of assessment, shall be brought in the name of the trustees in the manner indicated in article 4341 of the Revised Statutes, 1909.

**11.** The trustees may insure the buildings against fire <sup>Insurance.</sup> and other risks out of the proceeds of the assessment.

**12.** To secure the repayment of the loan, in capital and <sup>Security for</sup> interest, the trustees may hypothecate the church, and <sup>loan.</sup> transfer the assessment above mentioned.

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

**14.** The trustees may cause plans and specifications to <sup>Plans and</sup> be prepared for the church which this act authorizes them <sup>specifications</sup> to build, and call for tenders, enter into contracts, superin- <sup>ions.</sup> tend the work, begin and maintain any contestation they <sup>Tender and</sup> may deem advisable, and generally do all acts required for <sup>contract.</sup> attaining the objects of this act.

**15.** The plans of the church, as well as the specifications, <sup>Approval of</sup> must be approved by the Ordinary previous to their being <sup>the Ordinary.</sup> carried out.

**16.** The parish priest may convene meetings of the <sup>Meetings,</sup> trustees by mere letter addressed to each of them, at least <sup>how called.</sup> one clear day before such meeting.

Such meetings shall be held like churchwardens' meetings, <sup>Proceedings.</sup> and the minutes thereof shall be entered in the minute book of the *fabrique*. The quorum for such meetings shall <sup>Quorum.</sup> be three.

When the votes are equally divided, the parish priest <sup>Casting vote.</sup> shall, in addition to his vote as trustee, have a casting vote as chairman.

Powers.

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

Provisions  
not applica-  
ble.

**18.** The provisions of section III of chapter I of title IX of the Revised Statutes, 1909, shall not apply to the matters constituting the object of this act, without an express declaration.

Interpreta-  
tion.

**19.** Nothing in this act shall be interpreted as restricting the general powers of the *fabrique* to contract loans.

Coming into  
force.

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

## C H A P . 1 3 7

An Act to incorporate the Lachute Protestant Cemetery.

[Assented to 5th March, 1915]

Preamble.

**W**HEREAS John Hay, farmer, Thomas McOuat, manufacturer; William Banford, merchant; Edwin H. McCoy, superintendent of canals; G. F. Calder, registrar; John R. McOuat, bank manager, all of the town of Lachute, William Duffy, of the parish of St. Jerusalem d'Argenteuil, Robert H. Barron, notary public, of the city and district of Montreal, and Henry R. Hammond, of the township of Chatham, farmer, have by their petition represented that the burying ground, situated in the parish of St. Jerusalem d'Argenteuil, commonly known as the Lachute Protestant cemetery has, by reason of lack of control, maintenance and management, become dilapidated and discreditable;

Whereas the circumstances under which the said cemetery has been formed and developed are not such as will allow incorporation of a company under articles 6821 and following of the Revised Statutes, 1909;

Whereas the petitioners have decided to ask for the incorporation of a company with the object of controlling, maintaining, managing and enlarging such cemetery;

Whereas the municipal council of the said parish of St. Jerusalem d'Argenteuil has approved and ratified the proposed act of incorporation;

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