

**16.** The amount of the said assessment shall bear interest <sup>Interest on</sup> at five per cent, if not paid within thirty days from the date <sup>assessment.</sup> when it becomes due.

**17.** The provisions of article 4341 of the Revised Statutes, R. S. 4341 to 1909, respecting the recovery of amounts so due and exigible <sup>apply.</sup> shall apply to the said trustees.

**18.** The said buildings may be insured against fire by the <sup>Insurance</sup> said trustees until they are handed over to the *fabrique*. <sup>against fire.</sup>

**19.** This act shall come into force on the day of its sanction. <sup>Coming into</sup> force.

## C H A P . 113

An Act respecting the *fabrique* of the parish of St. George,  
Montreal.

[Assented to 21st December, 1912]

**W**HEREAS the parish priest and churchwardens of *l'œuvre* <sup>Preamble.</sup>  
*et fabrique* of the parish of Saint George, have presented a petition setting forth that, owing to the growth of the Catholic population of that parish, it is necessary and even urgent for the good of the said parish that a church and sacristy be built as soon as possible on the grounds held by the *fabrique* for such purpose;

That it is desirable that, in order to meet its obligations, the said *fabrique* be authorized to borrow a sum of one hundred and thirty thousand dollars, and that the freehold inhabitants have unanimously given their consent to that effect;

Whereas it is expedient to grant such petition.

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

**1.** In so far as regards the matters mentioned in this act, <sup>Persons</sup> Messrs. Lucien Caron, Toussaint Zénophon Renaud and Omer <sup>incorpora-</sup> Dansereau, elected by a meeting of the freehold inhabitants of the said parish, are associated with the parish priest and old and new churchwardens, under the name of "associate members" and shall form with them a corporation under the name of "*Bureau Spécial de l'œuvre et fabrique de la paroisse de St. Georges.*" <sup>Name.</sup>

The quorum of such board shall be six members, including at <sup>Quorum.</sup> least one associate member.

- Vacancies.** The office of associate member shall be vacant in the event of refusal to accept, or to continue to fill such office, of death, absence from the parish or inability to act for at least three consecutive months, and the vacancy shall be filled by the vote of the majority of the Roman Catholic freehold inhabitants present at a meeting convened and held in the usual manner.
- Associate members.** The associate members must be Catholic freehold inhabitants of the said parish.
- Secretary-Treasurer. &c.** The special board may appoint a secretary-treasurer and remunerate him, and he shall take out at his own expense a surety-bond for such office to an amount of two thousand dollars. The duties of such secretary-treasurer shall be the same as those provided for by article 4329 of the Revised Statutes, 1909.
- Building of church authorized &c.** **2.** The *bureau spécial de l'œuvre et fabrique de la paroisse de Saint Georges*, is authorized to build a church and sacristy of sufficient size, and to provide for the furnishing thereof, using as much as possible all the furniture the *fabrique* now owns.
- Approval of plans, &c.** The plans and specifications shall be approved by the ordinary.
- Preparation of plans, &c.** **3.** The special board may have plans and specifications drawn up, call for tenders, enter into a contract, supervise the work, commence and maintain all contestations that it may deem necessary and do all other acts necessary for attaining the objects of this act.
- Administration of church, &c.** After the work is finished and accepted and the accounts settled and paid, the church and sacristy shall be administered by the *fabrique* according to the provisions of the law governing parishes.
- Duties of associate members in certain case.** The duties of the associate members shall afterwards be limited to the assessment, and they shall last as long as such assessment.
- Loan.** **4.** The special board may borrow an amount not exceeding one hundred and thirty thousand dollars to pay the cost of the said buildings.
- Term of loan, &c.** Such loan may be effected for a term not exceeding forty years, by notarial deeds or by issues of bonds or debentures with a sinking fund or otherwise; it may also be repaid by annuities if deemed preferable.
- Hypothecation of church, &c.** To secure the repayment of the loan, both principal and interest, the special board may hypothecate the church and sacristy, and transfer the assessment hereinafter mentioned.
- Transfer of right to assess.** It may further transfer the right to levy moneys by means of the said assessment.
- Approval of loan.** The conditions of the loan shall be approved by the ordinary.

5. Nothing in this act shall be interpreted as restricting the general power of the *fabrique* to borrow.

Saving  
clause re  
*fabrique*.

6. In order to meet the interest and the sinking fund, or the annuities as the case may be, as well as the expense incurred for such assessment and the cost of this act, the special board may assess by act of annual apportionment, the immoveables situate within the parish, belonging to the Roman Catholic freehold inhabitants and proprietors, whether they reside or do not reside in the said parish.

Assessment  
of immove-  
ables.

The assessment shall begin to run from the first of July of every year, beginning on the first of July, 1913.

When to  
begin to run.

The amount of the assessment shall constitute a first lien and a first privileged debt upon the immoveable, in accordance with article 4349 of the Revised Statutes, 1909, but the proprietors shall not be liable and the immoveable shall not be affected beyond the amount of the payment due on the said assessment, which shall be reduced in proportion to the increase in the property assessed.

Effect of  
assessments.  
&c.

The immoveables of the *fabriques*, churches and buildings occupied as educational institutions or for Christian training shall not be liable to the assessment.

Exemptions.

7. The act of assessment shall be based on the valuation roll of the city of Montreal, in force on the first of October preceding the date when the payments became due, and the said act of assessment shall not be subject to homologation by the civil commissioners appointed and acting under the Revised Statutes, 1909; but the homologation of the valuation roll of the city of Montreal shall replace such homologation by the commissioners.

Basis of  
assessment,  
&c.

A new act of assessment shall be made every year and it shall be deposited on or before the first of October of each year, in the presbytery of the parish or in the office of the secretary-treasurer appointed under this act; communication thereof may be had by the interested parties at such hours as may be fixed by the special board.

Annual act  
of assess-  
ment.

The special board, may at any time correct the errors therein which may be pointed out.

Correction of  
errors.

8. The amount to be levied every year shall be exigible and payable on the fifteenth day of the month of October at the presbytery of the parish, or at the office of the secretary-treasurer, at the choice of the special board.

When assess-  
ments due.

The first payment shall be effected on the fifteenth of October, 1913.

First pay-  
ment.

Interest at the rate of five per cent per annum shall be charged on payments not made within thirty days from the date when they become due.

Interest.

- 9.** The money arising from the assessment or apportionment or from the temporary loans and all moneys intended for the payment of the debt and for the works above mentioned, shall be deposited in a chartered bank chosen by the special board, and shall not be withdrawn therefrom except by the joint signature of the parish priest and of the churchwarden in office.
- 10.** Actions for the recovery of amounts shown on the act of assessment shall be brought in the name of the special board in the manner indicated in article 4341 of the Revised Statutes, 1909.
- 11.** The parish priest or three members of the special board may convene a meeting of such board by letter with two clear days' notice.
- 12.** The special board may insure the said buildings against fire and other risks in the name of the *fabrique*.
- 13.** The special board is authorized to effect, upon the security of the assessment, such loans as it may deem advisable for the work of building, provided the total amount so borrowed shall not exceed the sum of one hundred and thirty thousand dollars.
- 14.** The provisions of section III of chapter first of title ninth of the Revised Statutes, 1909, shall not apply, unless there be a special declaration to that effect, to matters forming the subject matter of this act.
- 15.** This act shall come into force on the day of its sanction

Deposit of moneys.

Accounts of special board.

Suits re assessments.

Meeting of board.

Procedure at meetings.

Insurance of buildings.

Loans on security of the assessment.

Law applicable.

Coming into force.