



CHAPTER 124

An Act respecting the trustees for the parish of *La Sainte Famille de Granby*

[Assented to, the 17th of May, 1937]

WHEREAS the trustees for the parish of *La Sainte Famille de Granby*, a legally constituted corporation, have, by their petition, represented:

That they were elected under the general provisions of the Parish and *Fabrique* Act to carry out and supervise the construction of a parish church which is now completed and serves for public worship in the said parish;

That, in order to defray the expenses incurred by the construction of such church, the said trustees were authorized by an order of the commissioners appointed for the purposes of the Parish and *Fabrique* Act in the diocese of St. Hyacinthe, rendered on the 11th of June, 1930, to levy, within a period of forty years, by an act of assessment or apportionment, the capital and interest of a sum of two hundred and forty thousand dollars, and that for the purposes of their act of assessment they borrowed, after obtaining due authorizations and approvals, the said sum of two hundred and forty thousand dollars, by issuing and selling bonds or debentures repayable by annuities and bearing interest at the rate of four and one-half per cent per annum;

That the outstanding bonds or debentures of such issue now represent a sum amounting to two hundred and thirty-six thousand, one hundred dollars;

That the territory over which the aforesaid trustees have jurisdiction is developing rapidly, that it is being

covered from year to year with new dwellings, that consequently the value of the immoveables belonging to Roman Catholics in the said parish is increasing and will increase yearly, and that it would be advisable, to meet this situation and also not to hinder the alienation of the said immoveables, to derogate from the general law and to permit the said trustees to provide for repayment of their debt by means of collections or assessments imposed yearly and without the formalities, charges and costs incidental to the common law;

That the annual imposition of assessments would enable the trustees to use more readily the annual surplus which the *Fabrique* of the said parish realizes in its administration and which it is willing to pay to them, which would proportionately lighten the burden of the ratepayers subject to the apportionment;

That the said trustees accordingly pray that their powers, rights and obligations be extended and defined by a special act;

Whereas the said petition was unanimously approved by the freeholders at a regular meeting and by the Right Reverend Fabien Zoël Decelles, Bishop of St. Hyacinthe; and

Whereas it is expedient 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:

Loans
authorized.

1. The trustees for the parish of *La Sainte Famille de Granby* may, at the normal or anticipated maturity of the loan of two hundred and forty thousand dollars contracted by them by an issue of bonds or debentures on which a sum of two hundred and thirty-six thousand one hundred dollars remains unpaid, again borrow by means of one or more loans, from one or more persons or corporations, the necessary sum to pay or redeem the said debentures in principal and interest and to defray the costs incurred by these new loans, at the rate of interest, under the conditions and in the manner which they may deem expedient, by notarial deeds, bonds or debentures, or otherwise, and for a term not to exceed thirty-eight and one-half years. They may, however, borrow for a shorter term, if they deem it expedient, and, in such case, at the maturity of the loans which

they have thus contracted, may contract new loans for the remainder of the term authorized by this act, until their debt is completely extinguished.

In every case, the proceeds of the new loans must be exclusively applied to the repayment of the previous loans. Use of new loans restricted.

2. In order to repay their present loan or the new loans which they may contract under this act, the trustees are authorized to levy, for a period not to exceed thirty-eight years and one-half, by means of an annual apportionment imposed on the immoveables situate in the parish belonging to Roman Catholics, a sufficient sum to provide for interest, annuities or a sinking-fund, and to defray the expenses incurred by imposing and collecting the apportionment, by negotiating the loans and the passing of this act, and the other expenses incidental to the discharge of the duties of the trustees. Levying of annual apportionment.

3. Every year, from 1937 inclusive, the trustees shall prepare an act of assessment based on the value of the taxable immoveables of the parish, as entered on the valuation roll then in force in the city of Granby, as well as of the township of Granby and the township of Shefford, and they shall deposit such act not later than the 1st of September in the parish rectory, where those interested may examine it until the day on which the homologation shall take place. Preparing, etc., of act of assessment.

The trustees shall cause public notice to be given stating the deposit of the act of assessment and of the place, day and hour on which they will proceed to homologate same. Such notice shall be read and kept posted up at the door of the parish church at least eight days before the day fixed for homologation. Notice, etc., of deposit thereof.

After hearing the complaints or oppositions, written or verbal, which those interested may urge, the trustees may confirm the act of assessment with or without change and they shall affix an attestation to this effect under their signature or that of the majority of them. Such act shall forthwith come into force without other formality and the trustees may require the taxpayers to pay the assessment and sue for the recovery thereof. Coming into force thereof.

4. The annual assessment entered in the act homologated by the trustees shall become exigible from the taxpayers therein named in two payments maturing Exigibility, etc., of annual assessment.

on the 1st of October and the 1st of April of each year, the first payment, however, becoming due for half a year on the 1st of April, 1937; it shall be payable at the office of the secretary-treasurer or of the collector of the trustees and shall bear interest at the rate of five per cent per annum, without putting into default, thirty days after maturity.

Granting of discount.

5. The trustees may, when they deem it advisable, grant a discount of not more than five per cent to taxpayers who pay their assessments within a specified delay.

Sums to constitute privileged claim.

6. The sums collectable under any act of assessment homologated as aforesaid shall constitute a privileged claim on the immoveables therein designated, in accordance with the provisions of sections 69 and 70 of chapter 197 of the Revised Statutes of Quebec, 1925, without registration.

Prescription.

7. The assessments imposed under this act shall be prescribed by five years starting from their maturity.

Appointing, etc., of secretary-treasurer.

8. The trustees may appoint a secretary-treasury and pay him such salary as they deem advisable but not exceeding four hundred dollars per annum. This officer shall have the attributions and duties determined by section 48 of chapter 197 of the Revised Statutes of Quebec, 1925. The trustees may, if they prefer, entrust the collection of assessments to a clerk or agent to whom they may allow for the purpose such remuneration as they deem fit.

Paying over of surplus.

9. The *Fabrique* of the parish of *La Sainte Famille de Granby* is authorized, when its annual revenues exceed its expenses, to pay over its surpluses to the trustees to help them to redeem their loans.

Replacing of certain apportionment by future acts of assessment.

10. Starting from the coming into force of this act, the acts of assessment to be prepared and homologated in virtue thereof shall replace for all future purposes whatsoever the apportionment authorized by order of the commissioners for the purposes of the Parish and *Fabrique* Act in the diocese of St. Hyacinthe, rendered on the 11th of June, 1930. The trustees may, however, collect the payments of such apportionment already due, as if this act had not been passed.

Proviso.

11. Nothing in this act shall be interpreted as ^{Rights safe-}restricting the attributions, powers and duties of the ^{guarded.} trustees enacted by the general law, all the provisions whereof shall apply in cases not otherwise provided for.

12. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}

