



CHAPTER 159

An Act to ratify an agreement entered into between the trustees of the parish of St. David d'Estcourt and the *Congrégation du Très Saint Rédempteur*

[Assented to, the 15th of March, 1933]

WHEREAS the trustees of the parish of St. David d'Estcourt, a legal corporation, having its place of business at St. David d'Estcourt, in the county of Témiscouata, have, by their petition, represented:

That, in 1921, an assessment was imposed according to law, for a period of thirty years, on the immoveables of the Roman Catholics of the parish of St. David d'Estcourt, to guarantee the cost of the construction of a church, presbytery and sacristy;

That, on the 20th of November, 1929, by a canonical decree of the Bishop of St. Germain de Rimouski, the territory of the parish of St. David d'Estcourt was divided to permit of the erection of a new parish, known under the name of Marie Médiatrice d'Estcourt;

That, under the said canonical decree, lots 1 to 27, inclusive, of ranges I and II of the township of Estcourt were detached from the territory of the parish of St. David d'Estcourt, and annexed to the territory of the new parish of Marie Médiatrice d'Estcourt;

That the said lots 1 to 27 of ranges I and II of the township of Estcourt were, at the time of the division, liable, under the act of assessment of 1921, towards the trustees of the parish of St. David d'Estcourt.

That, at the revision of the act of assessment in 1931, the freeholders of the portion detached from the parish of St. David d'Estcourt claimed that they were no longer bound for the payment of the assessment imposed in 1921;

That, in order to put an end to these difficulties, an agreement was entered into between the trustees of St. David d'Estcourt and the *Congrégation du Très Saint Rédempteur*, serving the parish of Marie Médiatrice d'Estcourt;

That, by such agreement, established by two notarial deeds, dated the 15th of May and 26th of July, 1932, the trustees of St. David d'Estcourt bound themselves:

a. To omit from the act of assessment of the 30th of April, 1921, all the immoveables detached from the territory of the parish of St. David d'Estcourt, namely: lots 1 to 27 of ranges I and II of the township of Estcourt, as and from the 15th of June, 1932;

b. To liberate the immoveables detached from the parish of St. David d'Estcourt from the privileges and hypothecs with which they were burdened under the act of assessment of the 30th of April, 1921;

c. To transfer to the *Congrégation du Très Saint Rédempteur*, with subrogation in all their rights and privileges, the arrears of assessments owing by the proprietors of the said lots 1 to 27, inclusive, of ranges I and II of the township of Estcourt;

That the *Congrégation du Très Saint Rédempteur* bound itself to pay to the trustees of St. David d'Estcourt, for and in discharge of the owners of the said immoveables detached from the territory of St. David d'Estcourt, a sum of twenty-two thousand, eight hundred dollars, in semi-annual payments of six hundred dollars each, on the 15th of June and 15th of December of each year, until complete payment, starting from the 15th of June, 1932; and in addition, a sum of four thousand dollars to be in lieu of the arrears of the assessment;

That it is in the interest of the parties concerned to ratify this agreement;

That the parish of Marie Médiatrice d'Estcourt has drawn up an act of apportionment for the construction of a church, and wishes to include in the said apportionment lots 1 to 27, of ranges I and II of the township of Estcourt;

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:

Validation
of certain
agreements.

1. The agreements entered into between the trustees of the parish of St. David d'Estcourt and the *Congrégation du Très Saint Rédempteur*, on the 15th of May and 26th of July, 1932, are approved and ratified for all legal pur-

poses, except as to the payment of the said amounts of twenty-two thousand, eight hundred dollars, and of four thousand dollars, which shall be paid to The Sun Trust Co. Ltd., in its capacity of trustee under a trust deed between the *curés* and churchwardens of the *Oeuvre et Fabrique* of the parish of St. David d'Estcourt and the trustees elected for the said parish and the said Sun Trust Co. Ltd., dated the 26th of June, 1929, before Notary Delagrave, under No. 10701 of his minutes.

2. The portion detached from the territory of St. David d'Estcourt, namely: lots 1 to 27, inclusive, of ranges I and II of the township of Estcourt, are not and shall no longer be subject to the assessment of the 30th of April, 1921, imposed by the trustees of the parish of St. David d'Estcourt, from and after the 15th of June, 1932, and including the payment due on that date. Certain lots relieved from certain assessment.

3. Lots 1 to 27, of ranges 1 and II of the township of Estcourt, are no longer burdened from and after the 15th of June, 1932, and for the payment due on such date, with the obligations and privileges resulting from the act of assessment made by the trustees of the parish of St. David d'Estcourt in 1921, and homologated in 1926 and 1931, and discharge is granted from the said obligations and privileges. Granting of discharge from certain obligations, etc.

4. The *Congrégation du Très Saint-Rédempteur* is subrogated for the arrears of assessment due on the 15th of June, 1932, including the payment due on such date, in all the rights and privileges of the trustees of the parish of St. David d'Estcourt, and the said lots 1 to 27 of ranges I and II of the township of Estcourt shall remain burdened in favour of the *Congrégation du Très Saint-Rédempteur* for the said arrears. Subrogation in certain rights, etc.

5. The act of assessment imposed by the parishioners of Marie Médiatrice d'Estcourt is ratified, as regards the inclusion in the said act of lots 1 to 27 of ranges I and II of the township of Estcourt. Act of assessment ratified.

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