



CHAPTER 161

An Act to authorize the trustees for St. Zéphirin de La Tuque to borrow for the erection of a new church in the said parish

[Assented to, the 20th of March, 1930]

WHEREAS Réal Gravel, Onésime Tremblay, Jos. La- Preamble.

montagne, Euclide Trottier and Edmond Tremblay, all five of La Tuque, have, by their petition, represented:

That they were appointed trustees of the parish of St. Zéphirin de La Tuque, for the construction of a new church in the said parish, on the 12th of May, 1929, by the freehold inhabitants of the parish of St. Zéphirin de La Tuque, and that their election was confirmed by the commissioners for the civil erection of parishes appointed for the diocese of Haileybury, after the formalities by law provided;

That, in accordance with sections 42 and following of chapter 197 of the Revised Statutes, 1925, they are a legally constituted corporation under the name of "Trustees for the parish of St. Zéphirin de La Tuque";

That the building of a new church in the parish of St. Zéphirin de La Tuque has been allowed by a decree of the Bishop of Haileybury, on the 11th of February, 1929;

That in order to effect such construction it is necessary to borrow a sum of from two hundred thousand to two hundred and fifty thousand dollars;

That in order to make the cost of the work less onerous, it is expedient to make one or more temporary or long term loans for an amount of not over the sum of two hundred and fifty thousand dollars, and, for their repayment, to impose and levy, each year, on the property of Roman Catholics, resident or not in the parish, an assessment based on the municipal valuation roll, and to make the properties liable only for the payment of the assessments due;

That the provisions of chapter 197 of the Revised Statutes, 1925, do not meet in every respect the petitioners' needs;

That in order to effect repayment of the loans in principal and interest and to meet the cost of this act, they should be authorized to levy each year, by an assessment, the sum necessary for the purpose, if the proceeds of special house to house and Sunday collections and the surplus of receipts over annual expenses, both ordinary and extraordinary, of the *Fabrique* do not suffice;

That the act of assessment should be based on the municipal valuation roll of the town of La Tuque made each year and in force under the charter of the said town;

That through the rapid increase in the population and frequent changes of ownership, it is necessary to change, each year, the rate of the assessment to be imposed and to limit to the payments due the privilege with which the immoveables of the freeholders will be charged on account of the said assessment;

That the act of assessment will be deposited on or before the first of November of each year, in the office of the secretary of the petitioners, where those interested may take communication of it on a fixed day and hour which they shall determine by notice read publicly and posted up at the door of the parish church, at least eight days previously;

That the sum to be levied each year will be exigible and payable on the first of December following the date on which they shall avail themselves hereof, the petitioners to be entitled to grant a discount on payment of the assessment within eight days of its maturity and to charge interest on any overdue account;

That the provisions prayed for by them will apply to their successors likewise;

That, for such purposes, special legislation is necessary;

Whereas the petitioners have prayed for an act for the above purposes, and

Whereas 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:

Trustees authorized to borrow.

1. The trustees of the parish of St. Zéphirin de La Tuque or their successors are hereby authorized, after they shall have obtained the authorization of the freeholders at a general meeting of the parish, to borrow a sum of not over two hundred thousand dollars for the construction of a new church on the ground of the *Fabrique*.

The said trustees or their successors are hereby authorized to borrow an additional sum of fifty thousand dollars for the same purpose and under the same conditions, provided that they be specially authorized beforehand by the freeholders at a general meeting of the parish, with the consent of the Bishop of the diocese in which the said parish is situated.

Borrowing
of addition-
al sum.

2. Each loan may be effected by notarial deed or by means of debentures with sinking-fund. It may be redeemed by annuities, as may be preferred. If the loan is made for a term of less than forty years, new loans may be made and new debentures issued, from time to time, but the proceeds of such loans or debentures must be devoted to the payment of the preceding loan or loans or the debentures previously issued.

Procedure
and form
of loans.

3. The trustees may levy, each year, during a period not exceeding forty years, by assessment on all the immovables, situated in the parish, belonging to Roman Catholics, whether resident or not in the said parish, an amount sufficient to pay the capital, interest and sinking-fund or annuities, as the case may be, the costs occasioned by the said assessment, by the making of the loan, the insurance premiums, the salary of the secretary, by the passing of this act and the other expenses resulting from the execution of the canonical decree authorizing the said work, provided that the immovables of the said freeholders and proprietors be affected, and that the said freeholders and the said proprietors themselves be bound, only to the extent of the payments due for the said assessments, save as hereafter enacted.

Assessment.

4. In order to cover costs and losses, the trustees may also add to the amount of the assessment a sufficient supplementary sum.

Idem.

5. In order to effect repayment of the loans in principal and interest and to meet the expenses above mentioned, the trustees shall first employ each year the proceeds of special house to house collections and Sunday collections and afterwards, if required, take the excess of the annual receipts over annual expenses, ordinary and extraordinary, of the *Fabrique*.

Repay-
ment.

6. When the revenues mentioned in section 5 of this act, are insufficient, the deficit shall then be levied by assessment as above enacted.

In case of
deficit.

Basis of assessment.

7. The act of assessment shall be based on the municipal valuation roll of the town of La Tuque in force at the time of making the act of assessment, which shall be made every year and shall not be submitted for homologation by the civil commissioners acting under the Revised Statutes, 1925.

Deposit and homologation of act of assessment.

8. The act of assessment shall be deposited on or before the first day of November of each year in the office of the secretary, where interested parties may inspect it at the hours fixed by the trustees. It shall be homologated by the trustees on the day and at the hour that they shall fix, by notice read publicly and posted at the door of the parish church, at least eight days in advance, and such homologation shall have the same effect as the homologation by the civil commissioners acting under section 55 of chapter 197 of the Revised Statutes, 1925.

Maturity of annual amount levied.

9. The amount to be levied each year shall be exigible and payable on the 1st of December of each year in future; the first payment shall be exigible on the 1st of December following the date when the trustees or their successors shall have availed themselves of the provisions of this act.

Discount on certain payments.

10. Payments effected within fifteen days of the date of their maturity shall benefit from a discount of three per cent, if the trustees deem it expedient, and payments not effected within thirty days of the date of maturity shall bear interest at six per cent per annum.

Powers, etc., safeguarded.

11. Nothing in this act shall be interpreted as restricting the general power of the trustees, their duties and obligations under the general law.

Insurance.

12. The religious edifices, during and after their construction, must be insured against fire or any other danger of destruction, and the insurance policies may be transferred as a supplementary guarantee of the loans.

Succession.

13. All the powers granted in this act to the petitioning trustees are equally granted to their successors.

Coming into force.

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