

C H A P. 36

An Act to amend the acts respecting the Board of Roman Catholic School Commissioners of the City of Quebec

[Assented to, the 15th of February, 1924]

Preamble. **W**HEREAS the Board of Roman Catholic School Commissioners of the city of Quebec has, by its petition, represented that it is necessary for the Board of Roman Catholic School Commissioners of the City of Quebec to contract new loans in order to erect new school houses, to furnish the same and to enlarge existing schools; 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:

New loan authorized. **1.** Over and above the powers granted by section 1 of the act 13 George V, chapter 42, the Board of Roman Catholic School Commissioners of the City of Quebec, notwithstanding the provisions to the contrary contained in section 35 of the act 32 Victoria, chapter 16, or any other act, is hereby authorized to borrow, by means of an issue of bonds or debentures, the amount of three hundred thousand dollars, to erect, enlarge, improve and furnish school houses in the city of Quebec.

Issue and redemption of bonds. Such bonds or debentures shall be issued in accordance with the requirements of the said board, and shall be redeemable within a delay of not more than fifty years, annually, semi-annually or in any other manner that the board shall deem suitable, at such rate of interest, not exceeding six per cent, as the board may fix.

Temporary borrowing. The said Board of Roman Catholic School Commissioners of the City of Quebec may borrow temporarily, in any other manner, a part of the sums hereinabove authorized, provided that such temporary loans shall not exceed the sum of one hundred thousand dollars.

Proviso.

11 Geo. V, c. 51, s. 2, replaced. **2.** Section 2 of the act 11 George V, chapter 51, is replaced by the following sections:

Right of expropriation. **"2.** Notwithstanding any law to the contrary, the Board of Roman Catholic School Commissioners of the City of Quebec may expropriate, within the limits of the city of Quebec, any immovable property it may deem necessary for the erection or enlargement of schools and their dependencies.

“**2a.** The board shall have a plan prepared, with a technical description of the land, by a duly sworn land surveyor of the Province of Quebec. Such plan shall be signed by such land surveyor, countersigned by the chairman or the secretary of the board of commissioners, and deposited at the registry office for the division in which the expropriated property is situated. Plan.”

“**2b.** In case of any omission or erroneous description in the plan or the description of the property, a corrected plan with a new description may be deposited with the same effect. Corrected plan.”

“**2c.** If the board of commissioners cannot come to an agreement, with the owner or with the person entitled to an indemnity, upon the price of the property or the amount of the indemnity, the board shall cause to be served, upon the owner or occupant, a notice of expropriation, mentioning: (a) the amount of the price or indemnity which it believes ought to be granted to the owner or to the person entitled to an indemnity; (b) that the offer must be accepted or refused within a delay of ten days, and that on failure of the interested party so to do within the said delay, the board will make application to a judge of the Superior Court to proceed to the fixing of the indemnity in accordance with the provisions of the laws of the Province of Quebec respecting railways, in force at the date of the expropriation, which shall apply, *mutatis mutandis*, to the proceedings relating to the fixing and payment of the indemnity and to the appeal. Notice of expropriation. Contents of notice. Provisions applicable.”

“**2d.** Upon making a deposit, in the hands of the prothonotary of the district in which the expropriated land is situated, of the amount offered by the board of school commissioners, and after such deposit, the said board may take possession of any immovable or part of an immovable indicated in the notice of expropriation, and exercise all the powers vested in it by law, as if the indemnity had been definitively fixed and paid; provided that the taking of possession be authorized by a judge of the Superior Court upon petition to that effect. Taking possession. Proviso.”

“**2e.** Articles 2755 and 2756 of the Revised Statutes, 1909, shall apply, *mutatis mutandis*, to the Board of Roman Catholic School Commissioners of the City of Quebec.” Provisions applicable.”

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