

C H A P. 141

An Act respecting the trustees of the parish of St. Joseph-de-la-Rivière-Bleue, in the county of Témiscouata

[Assented to, 17th of March, 1919]

WHEREAS the trustees of the parish of St. Joseph-de-la-Rivière-Bleue have by their petition represented: Preamble.

That the parish of St. Joseph de la Rivière Bleue is a new parish in a colonization centre, and has neither a church nor a presbytery, although it has a population of two hundred and fifty families;

That on the 15th of May, 1918, a decree was issued by the ecclesiastical authority of the diocese of Rimouski permitting the building of a church and presbytery in the said parish;

That in order to carry out the said decree, the trustees were elected in the manner prescribed by articles 4323 to 4329 inclusive of the Revised Statutes, 1909;

That St. Joseph de la Rivière Bleue is a parish susceptible of development in the future, and it is not just that the cost of building the church and presbytery be imposed upon the present parishioners alone and on immovable properties the valuation whereof will necessarily vary in the course of years until the parish has attained its full development;

That it is necessary to effect a loan for the said purposes and to obtain special legislation concerning the said loan;

That the plans and specifications of the said church and presbytery have been approved by His Lordship Mgr. André Albert Blais, Bishop of Rimouski;

Whereas it is expedient to grant 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:

1. The trustees of the parish of St. Joseph de la Rivière Bleue, in the county of Témiscouata, are re-cognized as a legal corporation to which the provisions of the general law shall apply unless specially derogated from or inconsistent with this act. Trustees incorporated

2. The trustees are empowered to build a church and presbytery in the said parish according to the plans and specifications already approved by the diocesan bishop, and which may be modified by competent authority, if necessary. Church, etc., to be built.

Loans
authorized.

3. Notwithstanding any law to the contrary, the trustees are empowered to borrow the sums necessary for building the said church and presbytery, providing that such sums do not exceed the total amount to be levied by the act of assessment and on the guarantee of the assessments.

Repayment
by annuities.

4. The trustees are specially authorized to stipulate for the repayment of the loan by annuities covering a period of not more than forty years. Such annuities shall include the interest and the fraction of the capital which must be paid yearly or half-yearly for extinguishing the debt at a date agreed upon.

Additional
assessment.

5. To effect the reimbursement of such loan, both capital and interest, the trustees or their successors may levy assessments when they deem proper, in the same manner as the municipal council, upon all the immoveable properties in the parish belonging to Roman Catholics, or to corporations whereof the majority of shareholders are Roman Catholics, for the purpose of obtaining the amount required for paying the annuities becoming due in that year, or, if they deem it advisable, of the annuities becoming due in that year and in the two following years during a period not exceeding forty years.

Amount to
be added.

6. To cover the cost and deficits, an amount not exceeding fifteen per cent may be added to the amount of the assessment.

Basis of
assessment.

7. The assessment shall be based on the valuation rolls then in force in the municipalities comprised in the parish.

Rolls may
be amended
in certain
case.

8. If the valuation rolls in force in the municipalities forming a portion of the said parish, or any one of them, cannot, in the opinion of the trustees, serve for an equitable apportionment among the Roman Catholics of the various municipalities, the trustees shall be empowered, and it shall be their duty, to amend such roll or rolls, or to prepare one or more others, as the case may be, to serve for the purpose of the act of assessment; a revision must be made by the trustees every year.

Contents of
rolls to be
made by
trustees.

9. The roll or rolls which the trustees shall have the right to make out or amend under the provisions of the foregoing section shall comprise an exact table of the lands and other immoveable properties then granted by the Government, as well as the expenditure and improvements

effected on the lands occupied by persons without a title situate in each municipality, or, in territory not yet organized, their extent and value as well as the name of the real or presumed owners thereof.

10. After having been made out, such roll or rolls shall remain deposited for thirty days in the office of the trustees or with the *curé* of the parish of St Joseph de la Rivière-Bleue, and a public notice of such deposit shall be given in the manner prescribed for municipal notices, in each of the interested municipalities, at the door of the parish church or from the pulpit at the parochial mass. Deposit of rolls. Notice.

Such notice shall state the day, place and hour at which complaints, if any, shall be taken into consideration by the trustees. Contents of notice.

On the day specified in the notice, the trustees shall take into consideration the verbal or written complaints made by any interested party against any valuation contained in the said roll or rolls, shall hear the parties and their witnesses, administer oaths and take cognizance of all evidence produced. Consideration of complaints.

The trustees are empowered, at such sitting, to correct in such manner as may appear to them just and equitable, any valuation which they may deem incorrect. Correction of valuation.

11. The roll or rolls so made or amended, examined and corrected, shall be signed by the trustees present, and, for the purpose of any assessment under this act, they shall come into force without any other formality, on the thirty-first day from the date at which they have been so signed by the trustees. Coming into force of rolls.

12. An appeal may be taken from the trustees' decision, within the thirty days mentioned in section 10, by any rate-payer who deems himself aggrieved by the valuation of his property. Appeal.

13. Such appeal shall be taken to the civil commissioners for the erection of parishes. To whom taken.

Such appeal shall have the effect of suspending the coming into force of the valuation rolls as regards the property in question in the appeal until the court has given its decision. Effect of appeal.

14. The act of assessment, made out as aforesaid, shall after being signed by the trustees be deposited in the office of the said trustees or their successors. Deposit of act of assessment.

15. Notice of such deposit shall be given on the follow- Notice of deposit.

ing Sunday, by being publicly read and posted up on the door of the parish church at the close of divine service in the morning, or, if the trustees prefer, shall be read from the pulpit at the parochial mass.

When
assessment
due.

16. The assessment shall become due and exigible one month after the notice given in virtue of the preceding section, and shall be payable at the office of the trustees or their successors in the manner and at the dates set forth in the aforesaid notice.

Interest on
overdue
instalments.

17. Every instalment not paid within thirty days from its becoming due, shall bear legal interest.

Suits by
trustees.

18. After the said thirty days, the trustees may sue for the recovery of such instalments that are due and exigible in the manner set forth in article 4341 of the Revised Statutes, 1909.

Insurance.

19. The trustees shall have the religious buildings insured against fire and accident to the amount of their insurable value until they hand over the same to the *fabrique*.

General
powers of
trustees.

20. Apart from those conferred by this act, all the powers, rights, privileges and obligations similar to those possessed by each warden, by law, are given to trustees for collecting the amount of each assessment, for the suits to be taken in general for anything concerning the purpose of this act.

Rendering
of final
accounts.

21. When the final account is rendered by the trustees and the religious buildings have been handed over to the *fabrique*, the parish priest and churchwardens in office shall be substituted for the trustees, and shall have all the rights, powers, privileges and obligations conferred or imposed upon the trustees by this act.

Costs of
this act to be
included.

22. The costs, fees and disbursements incurred by the trustees for the purposes of this act, shall be added to the cost of construction, and shall be deemed to form part of the cost of building the said church and presbytery.

Coming into
force.

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