

C H A P. 142

An Act respecting the trustees of the parish of St. Dominique de Newport, in the county of Gaspé.

[Assented to 19th February, 1914]

WHEREAS the trustees of the parish of St. Dominique de Newport have presented a petition setting forth: Preamble.

That the church of St. Dominique de Newport was destroyed by fire on the 8th of January, 1908;

That, in order to pay the cost of the church so destroyed, two assessments have been levied upon the present freehold inhabitants;

That, on the 26th December, 1912, a decree was issued by the ecclesiastical authorities of the diocese of Rimouski, permitting the building of a new church and of a new sacristy in the parish of St. Dominique de Newport, county of Gaspé;

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

That the parish of St. Dominique de Newport is capable of further development, and it is not equitable that all the cost of building the church and sacristy should be imposed only upon the present parishioners and on immoveable property 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 and to obtain special legislation concerning the said loan;

That the plans and specifications of the said church and sacristy have been approved by his Lordship Monseigneur André Albert Blais, bishop of Rimouski;

And whereas it is expedient to grant such 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. Dominique de Newport, in the county of Gaspé, are acknowledged to be a legal corporation to which the provisions of the general law shall continue to apply, unless they be specially derogated from by or be inconsistent with this act. Trustee to be a legal corporation.

2. The trustees shall have power to build a church and sacristy in the said parish in accordance with the plans and specifications already approved by the diocesan Power to build.

bishop and which may be amended by competent authority if necessary.

And to borrow for such purpose. **3.** Notwithstanding any law to the contrary, the trustees shall have power to borrow the amount required for the building of the said church and sacristy, provided such sums shall not exceed the total amount to be levied by act of assessments and upon the guarantee of the said assessments.

Repayment of loan by annuities. **4.** The trustees are specially authorized to stipulate the repayment of the loan by annuities covering a period not exceeding forty years. Such annuities shall include the interest and a fraction of the principal which may be yearly or half-yearly paid to extinguish it at the date agreed upon.

May levy assessments. **5.** In order to effect the repayment of such loan, both principal and interest, the trustees or their successors may make assessments when they deem it advisable, as municipal councils do, upon all the immoveable property of the parish belonging to Roman Catholics, levy the amount required for the payment of annuities maturing in that year, or if they deem expedient, annuities maturing in that year and in the two following years, and during a period not exceeding forty years.

Additional amount for costs. **6.** In order to meet the costs and deficits, a sum 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 or new ones made in certain cases. **8.** If the valuation rolls in force in each of the municipalities comprising the said parish, or any of them, cannot, in the opinion of the trustees, serve for an equitable apportionment among the Catholics of the various municipalities, the trustees are empowered, and it shall be their duty, to amend such valuation roll or rolls, or to prepare one or more others, as the case may be, regarding the taxable property of the said municipalities; a revision thereof shall be made by the trustees every year.

Contents of rolls. **9.** The roll or rolls which the said trustees are entitled to make or amend under the foregoing section shall comprise an accurate tabulated list of the lots of land and other immoveables then conceded by the government, as well as all the expenses and improvements on the lots occupied

by occupants without title, situate in each municipality or in the territory not yet organized, their extent, their value and the names of the real or presumed proprietors thereof.

10. After being made out, such roll or rolls shall remain deposited for thirty days in the office of the trustees or with the parish priest of the parish of St. Dominique de Newport, and public notice shall be given in the manner required for municipal notices in each of the municipalities concerned, at the door of the parish church, or from the pulpit during the parochial mass.

Rolls to be deposited.

Notice of deposit.

Such notice shall state the day on which, and the place and hour when 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 which may be filed by any interested party, against any valuation mentioned in the said roll, hear the parties and their proof, under oath if required, and shall take cognizance of all the proof adduced.

Complaints to be considered.

The trustees are empowered to correct any wrong valuation during the sittings, in such manner as may seem to them just and equitable.

Corrections may be made.

11. Such roll or rolls so made, amended, examined and corrected shall be signed by the trustees present, and shall come into force without any further formalities, for the purpose of any assessment to be made under this act, thirty days after the trustees shall have signed the same.

Coming into force of rolls.

12. There shall be an appeal from the decision of the trustees within the thirty days mentioned in section 10, on behalf of any ratepayer who may be, or believe himself to be, aggrieved in respect to the valuation of his property.

Appeal.

13. Such appeal may be taken before the civil commissioners, or the District Magistrate's Court.

Before what Court.

Such appeal shall have the effect of suspending the coming into force of the valuation roll, as regards the property in question in the appeal, until the decision of the court is given.

Suspensive effect.

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

Act of assessment to be deposited.

Notice of deposit.

15. A notice of such deposit shall be given on the following Sunday, be publicly read and posted up on the door of the parish church, at the issue of divine service in the morning or, if the trustees prefer, be read from the pulpit at the parochial mass.

Due date of assessment, and place where payable.

16. The assessment shall become due and exigible one month after the notice given under the foregoing article, and shall be payable at the office of the trustees or their successors in the manner and at the dates specified in the notice above mentioned.

Interest on overdue instalments.

17. Every instalment not paid within thirty days of maturity shall bear legal interest.

Suit may be taken.

18. After such thirty days, the trustees may sue for the recovery of such of the instalments as may be due and exigible, in the manner indicated by article 4341 of the Revised Statutes, 1909.

Buildings may be insured.

19. The trustees may have the religious buildings insured against fire and accident, for the amount of their insurable value, until they are handed over to the *fabrique*.

Additional powers for trustees.

20. Apart from those conferred by this act, powers, rights, privileges and obligations, similar to those possessed by church-wardens under the law, are given to the trustees for the collection of the moneys of each assessment, the work to be done, suits to be taken, and generally, everything connected with the purposes of this act.

Trustees to be replaced.

21. When the final statement of account is rendered by the trustees to the parish, and the religious buildings are handed over to the *fabrique*, the parish priest and church-wardens in office shall replace the trustees, and shall have all the rights, powers and privileges granted, and the obligations imposed upon the latter by this act.

Coming into force.

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