

CHAP. 138

An Act respecting the building of the church and sacristy of the parish of St. Gabriel de Brandon

[Assented to 27th April, 1909]

WHEREAS the trustees of the parish of St. Gabriel de Brandon have, by their petition, represented :

That on the fourteenth day of January, 1908, a decree was issued by the ecclesiastical authority of the diocese of Joliette, permitting the building of a new church and sacristy in the parish of St. Gabriel de Brandon ;

That, in order to carry out the said decree they were elected trustees of the said parish in the manner prescribed by articles 3396 to 3402 inclusive of the Revised Statutes ;

That St. Gabriel de Brandon is a young parish, susceptible of great development in the future and it is unjust to impose the cost of building the said church and sacristy solely on the present parishioners and their immoveables, 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 such purpose and to obtain special legislation respecting such loan ;

That the freehold inhabitants have approved the said petition ;

That the plan and specifications of the said church and sacristy have been approved by His Lordship Monseigneur Joseph Alfred Archambeault, Bishop of Joliette ;

And whereas the petitioners pray for an act for the aforesaid purposes and it is expedient to grant the prayer of 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. Doctor Albert Laurendeau, chairman; François Rondeau, Philéas Lavallée, Edwin Remington and Joseph Guérard, farmers, the elected trustees of the said parish of St. Gabriel de Brandon or their successors in office are constituted a corporation and the provisions of the general law shall apply to the said corporation unless they are specially derogated from or are inconsistent with this act. Persons incorporated, &c.

2. The trustees may build a church and sacristy in the said parish in accordance with the plan and specifications already approved by the diocesan bishop and which may be modified by competent authority if necessary. Trustees may build church, &c.

May borrow
up to \$45,000
therefor, &c.

3. To meet the cost of the said buildings over and above the twenty-five thousand dollars which the *fabrique* of the parish of St. Gabriel de Brandon has undertaken to furnish, the trustees may borrow, on the security of the assessments to be levied under this act, an amount not exceeding forty-five thousand dollars, as principal, in such manner and form as they may deem expedient and on such terms and conditions as they may deem advantageous.

Repayment
by annuities.

4. The trustees are especially authorized to stipulate for the repayment of the loan by means of annuities covering a term not exceeding fifty years.

What annu-
ties to in-
clude.

Such annuities shall include the interest and the fraction of the capital to be paid yearly or half-yearly for the extinction of the debt at the time agreed upon.

Issuing of
bonds, &c.

For the payment of such annuities or half annuities, bonds or debentures maturing every six months or from year to year until the extinction of the debt, may be issued by the trustees.

Levying of
assessment
to repay loan.

5. For the repayment of the said loan both principal and interest, the trustees or their successors in office may levy annually or semi-annually, if they think proper, for a period not exceeding fifty years, by act of assessment upon all the immovables of the parish belonging to Roman Catholics the amount required for the payment of the annuities of that year, or, if they think proper, of the annuities maturing that year and the two following years.

Properties
exempt from
assessment.

6. The following immoveables in the territory detached from the said parish by the decree or permit of His Grace Edouard Charles Fabre, Archbishop of Montreal, dated the ninth of January, 1895, are exempt :

1. In the township of Peterborough, ranges A southwest and B northeast of the Mastigouche river and cadastral numbers 12, 13, 14, 15 and 16 of the fifth range of the said township, bounded as follows: by number 11 of the fifth range of the said township, the second, third, fourth and first ranges of the said township, the seigniori of Lanaudière and the territory detached from the parish of St. Didace ;

2. In the seigniori of Lanaudière, the cadastral numbers 87, 88, 89, 90, 91, 92, 93a, 93b, 93c, 93d, 93e, 93m, 93n, 93o, 93p and 93q inclusive, and bounded as follows : by the Mastigouche river, by part of number 93i, by the numbers 93j 93k and 93l, the St. Pierre concession, the township of Peterborough and the territory detached from St. Didace ; nevertheless the other immoveables of the said parish of St. Gabriel de Brandon annexed to the parish of St. Charles de Mandeville by the act 7 Edward VII, chapter 9, section 2, are not exempt.

3. The immoveables in the territory detached from the said parish of St-Gabriel de Brandon by the decree or permit of his Grace Edmond Charles Fabre Archbishop of Montreal, dated the eighth day of October eighteen hundred and ninety-two that is to say, the eighth and ninth ranges of the seigniorie of Lanaudière, bounded as follows: to the north-east by the diocese of Three Rivers; to the north-west by the St-James range in the said parish of St. Gabriel de Brandon; and to the south-west by the line which separates the township of Brandon from the said seigniorie of Lanaudière, are also exempt.

7. The trustees or their successors shall have a valuation roll made every three years of the taxable immoveable property of the said parish and, to that end, the council of the municipality of the parish of St. Gabriel de Brandon shall, at the trustees' request, appoint two assessors in the parish municipality and the council of the village municipality shall appoint one assessor in the village municipality to make such valuation roll, &c.

Such roll shall give the number in numerical order, the names and surnames of the proprietors or occupants, the cadastral numbers and the amount at which each lot of land or other immoveable is valued. Such roll shall be signed by the assessors and their clerk and they shall be sworn before and after the making of such roll and the services of the said assessors shall be gratuitous. Contents of roll, &c.

8. After the roll is made, it shall be deposited for fifteen days in the trustees' office or with the parish priest of the parish of St. Gabriel de Brandon, and public notice of such deposit shall be given at the door of the parish church in each of the municipalities concerned in the manner required for municipal notices. Deposit of roll, notice, &c.

Such notice shall state the day, place and hour where and when complaints shall be taken into consideration by the trustees; for the said roll shall be revised after it is made and every year by the trustees. Contents of notice.

On the day specified in the notice, the trustees shall take into consideration the verbal or written complaint brought by any interested party against the valuation set forth in the roll, shall hear the parties and their evidence, administer the oaths to witnesses and take cognizance of all evidence adduced. Consideration of roll by trustees.

The trustees may, at their sitting, correct any wrong valuation in such manner as may seem just and equitable to them. Correction of roll valuations.

The roll so made, amended, examined and corrected shall be signed by the trustees present and shall come into force without other formalities for the purpose of all assessments to be levied under this act thirty days after the trustees have signed the same. Signing and coming into force of roll.

Appeal to
commission-
ers.

9. Any rate-payer who is or who deems himself aggrieved by the valuation of his property, may appeal from the trustees' decision within the thirty days mentioned in article 8.

Such appeal shall be to the civil commissioners.

Effect of
appeal.

10. The appeal shall have the effect of suspending the coming into force of the valuation roll until the decision of the civil² commissioners has been rendered.

Assessment
how payable.

11. The act of assessment for the amount to be levied may order that the assessment be paid in one instalment or in two or more instalments in the same year.

Deposit of
assessment.

12. The act of assessment made as aforesaid shall, after having been signed by the trustees, be deposited in the office of the said trustees or their successors.

Notice of
deposit.

Notice of such deposit shall be given on the following Sunday, and be publicly read and posted up on the door of the parish church at the issue of divine service in the morning. Instead of being read at the church door, it may be read from the pulpit at the parochial mass.

Assessment
when due,
&c.

13. The assessment shall become due and exigible one month after the notice ordered by article 12 and shall be payable at the office of the trustees or their successors in one, two or more instalments at the date or dates specified.

Interest.

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

Insurance
of buildings.

15. The trustees may insure the religious buildings against fire and accident to the insurable amount as far as possible until they hand them over to the *fabrique*.

Powers of
trustees.

16. In addition to those conferred by this act, powers, rights, privileges and obligations similar to those possessed by and imposed upon church-wardens by law are given to and imposed upon the trustees for the collection of the amount of each assessment, the work to be done, the suits to be taken and generally everything relating to the purposes of this act.

Delivery of
buildings to
fabrique, &c.

17. When the final accounts are rendered by the trustees to the parish and the religious buildings are handed over to the *fabrique*, the parish priest in charge and the church-wardens in office shall be substituted for the trustees and shall have all the rights, powers and privileges granted to and obligations imposed upon the latter by this act.

Coming into
force.

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