

C H A P. 113

An Act respecting the parish of Sainte-Praxède de
Brompton

[Assented to 2nd June 1904]

Preamble.

WHEREAS Edmund William Tobin, merchant and member of the Dominion Parliament; Onésime Lambert, merchant, Félix G. Ponton, Damase Bourassa and Charles Pelletier, all three farmers, all of the parish of Sainte Praxède de Brompton have, by petition, represented :

That the resident freeholders of the parish of Sainte Praxède de Brompton, Bromptonville, have, by a petition dated the 14th of September, 1903, represented that it is urgent for the welfare of the parish that a church and sacristy be erected in the said parish as soon as possible ;

That his Lordship *Monseigneur* Paul LaRocque, bishop of Sherbrooke, upon a petition signed by almost all the resident freeholders of the said parish, has given permission for the construction therein of a new church and sacristy, and that, in order to provide for the costs of such construction, it will be necessary to raise the sum of forty thousand dollars by means of an assessment upon the Roman Catholic freeholders of the said parish ;

That it is desirable that the said loan be paid by means of an assessment of the nature of municipal assessments levied upon immoveables ;

That it is necessary to have a special act passed respecting the loan to be made for the said construction, and that the ratepayers have approved of the said petition ;

That, at a meeting of the Roman Catholic freeholders of the said parish, held on the first of November, 1903, Edmund W. Tobin, Onésime Lambert, Félix G. Ponton, Damase Bourassa and Charles Pelletier, all freeholders of the said parish, were elected trustees for the purposes aforesaid and other purposes required by law ;

That the plans and specifications for the said church and sacristy were approved by the Ordinary of the diocese of Sherbrooke, on the 4th December, 1903 ;

That it is important, at the same time, to adopt certain provisions respecting the construction of a presbytery ;

That, by their petition, the petitioners pray that an act be passed to that effect, and it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Five resident Roman Catholic freeholders of the parish of Ste. Praxède de Brompton, elected as trustees by the resident freeholders at their regular meeting on the 1st November, 1903, namely: Edmund William Tobin, Onésime Lambert, Félix G. Ponton, Damase Bourassa and Charles Pelletier, are recognized as trustees for the purposes of this act.

Trustees.
elected con-
firmed in
office.

2. The *curé* and the churchwarden in office of the said parish, shall *ex-officio* be associated with the trustees and shall constitute with them, under the presidency of the *curé*, a board of which the quorum shall be four, and which shall constitute a corporation under the name of "The trustees of the parish of Ste. Praxède de Brompton."

Corporation
constituted.

Name.

3. The trustees are empowered to build a church and sacristy in the parish of Ste. Praxède de Brompton, according to the plans and specifications already approved. Such plans and specifications may, however, be modified or altered by competent authority, if need be.

Power to
build church
and sacristy.

Plans, &c.

4. To provide for the payment of the cost of the said buildings and accessories, the trustees may borrow a sum or sums of money not exceeding in all forty thousand dollars in principal, by contract or otherwise as they may consider advantageous or by issuing bonds or debentures with or without annuities, and payable in such manner as they may deem best.

Power to
borrow and
issue bonds.

5. To effect the payment of such loan and interest, the trustees of the parish of Ste. Praxède de Brompton may levy, by an act of assessment made annually, if they deem necessary, upon the immoveables of the Roman Catholic parishioners of the parish, a sum not exceeding, at one time, seventy-five cents per hundred dollars in value of the assessed immoveables for a period not exceeding forty years, and such assessment shall constitute a personal debt due by the proprietors of the said immoveables.

How loan to
be paid.

6. The immoveables of the said parishioners shall be affected by privilege, and the parishioners themselves shall be liable, only to the extent of the payments due.

Extent of
liability of
parishioners,
&c.

7. The instalments of the assessment, without further notice than that of the deposit of the act of assessment, which shall be signed by the trustees and deposited in the office of the secretary-treasurer of the trustees, at least one month before the assessment falls due, shall be payable at the office of the secretary-treasurer of the trustees or to his agent

When further
instalments of
assessment
payable.

appointed by the trustees ; and the trustees may exact a surety bond of at least one thousand dollars from the secretary-treasurer and the agent they may appoint.

Trustees' accounts.

8. The trustees' accounts shall be rendered and approved on the 31st of December in each year.

Addition to assessment for certain purposes.

9. To cover losses, costs and especially the cost of insurance, the trustees may add an amount not exceeding ten per cent. to the annual assessment.

Interest on deferred payments, &c.

10. Amounts not paid within thirty days of their becoming due shall bear interest at the rate of five per centum per annum, and the trustees may, at any time after they have become payable, recover the amount thereof in the usual manner.

Basis of act of assessment.

11. The act of assessment shall be based upon the valuation rolls of each of the municipalities in which the property to be assessed and taxed is situated, as amended, if they have been amended, in force at the date of the making of the act of assessment, and it shall not require to be homologated by the commissioners appointed and acting in virtue of the Revised Statutes.

Amendment of valuation roll before assessment is made.

12. Before making the assessment and for the purposes of such assessment, the trustees may amend and change the valuation roll of one or more municipalities, so as to impose the assessment in an equitable manner among the said municipalities, and the amendments or changes so made shall come into force immediately without formality, and shall remain in force as long as the amended roll remains in force.

Notice of such amendments.

13. The trustees shall, however, only make such amendments or changes after giving a notice of at least ten days to the secretary-treasurer of the interested municipality, of the date of the meeting at which the trustees will take the proposed changes or amendments into consideration, and the interested municipality shall be entitled to be heard.

Effect of receipt given by *cure*.

14. Upon the production of a receipt from the *cure*, credit shall be given for the sum collected to those who have paid what they owe on any assessment.

Vacancies among trustees.

15. Vacancies occurring among the trustees, by death or otherwise, shall be filled by the majority of the votes at a meeting of the former and present churchwardens, convened according to custom, to which meeting the trustees shall be admitted and have a vote. A petition to the civil com-

missioners shall not be required for such election, for calling the meeting and for confirming the election.

16. Powers, rights, privileges and obligations similar to those possessed by the churchwardens are conferred and imposed upon the board for the collection of the amounts levied by the annual assessment, the execution of the works, the suits to be taken, and generally for everything relating to the objects of this act. Powers of trustees.

17. The board of trustees is authorized to contract, upon the security of the said assessments or otherwise, the necessary loans, for the execution of the said works, provided that the amount borrowed shall not exceed forty thousand dollars. Power to contract loans. Proviso.

18. The said assessment shall not affect the property of those who are not Roman Catholics, except for payments that have become due while the said property belonged to Roman Catholics. Property affected by assessment.

19. It shall be lawful for the trustees to keep the religious buildings insured against fire and accident, for a sum equal to the value of the buildings insured. Insurance of buildings.

20. The *fabrique* of the said parish is authorized to employ four-fifths of the surplus of its receipts over its expenses, as established by the annual account rendered by the churchwarden in office, to contribute to the payment of the annual charges imposed by this act. Fabrique may contribute to payment of charges under act.

21. Upon the demand of the majority of the resident freeholders of the parish, and with the approval of the Ordinary, the trustees are authorized to erect a presbytery, and for such purpose they may borrow an additional sum not to exceed six thousand dollars in any manner they may deem expedient. For the reimbursement and payment of the said loan, they shall have the same powers they possess in virtue of this act for the reimbursement and payment of the said sum of forty thousand dollars, and all the privileges and rights which they possess and which the churchwardens possess in virtue of this act with respect to the church and sacristy and payment of the said loan are extended to everything relating to the said presbytery. Authorization to build a presbytery and power of trustees for that purpose.

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