

Certified a true copy, and annexed to a deed of transfer by the *curé* and churchwardens of *l'œuvre et fabrique* of the parish of Saint Marie Magdeleine, du Cap de la Magdeleine, to *Les Reverends Pères Oblats de l'Immaculée Conception de Marie*, in accordance with the mention therein made, this sixth day of May, one thousand, nine hundred and two.

(Signed) J. JODOIN, O.M.I., Proc.

L. BÉLANGER, N.P.

True copy,

L. BÉLANGER, N.P.

CHAP. 110

An Act to civilly erect the parish of L'Annonciation, to permit the renewal of an act of assessment and to provide for the future government of the said parish

[Assented to 25th April, 1903]

WHEREAS the *curé* and leading Roman Catholic free-holders of the canonical parish of L'Annonciation, in the county of Labelle, have, by petition, represented : Preamble.

That, on the 16th of January, 1903, His Grace, *Monsieur* Joseph Thomas Duhamel, archbishop of Ottawa, canonically erected as a cure and parish, under the name of L'Annonciation, those portions of the townships of Marchand and Loranger hereinafter described and bounded as follows : on the north-west by the township of Turgeon ; on the north-east partly by the township of Mousseau and partly by the township of Lynch, as far as range G of the township of Marchand, inclusively ; on the east by the line dividing range G from range C, then in a south-easterly direction by the line dividing range B from range C, as far as lot No. 35 of range B, inclusively, range C, being excluded from said limits ; then in a south-westerly direction by the line dividing lots 35 and 34 in ranges B and A, as far as the line dividing range A from the range north-east of the Rouge river ; then following that line in a south-easterly direction as far as the line between lots 20 and 19 of the range north-east of the Rouge river ; then following the said line between lots 20 and 19 of the range north-east of the Rouge river as far as Rouge river ; then following the Rouge river as far as lot number 11, inclusively, of the range south-west of the Rouge river ; then following the line separating the points of lots numbers 11, 12,

13 and 14 from lot number 10 of the range south-west of the Rouge river ; then following a line dividing range VI from the range south-west of the Rouge river in a southerly direction as far as the line dividing the township of Marchand from the township of Joly ; on the south by the townships of Joly and La Minerve ; on the west by the line dividing the township of Marchand from the township of Loranger to the place where the said line strikes the waters of the great lake Nominuingue, on lot 46 of range I of the township of Loranger ; thence by a line following the shores of the great lake Nominuingue, from lot number 46 of range I to the township of Loranger, inclusively, to the place where the discharge of the great lake Nominuingue enters the township of Marchand ; thence resuming the line dividing the township of Marchand from the township of Loranger, from the discharge of great lake Nominuingue as far as the angle of the townships of Marchand and Turgeon :

That, before the promulgation of the said canonical decree, the whole of such territory and, in addition, the territory called Macaza, forming part of the township of Marchand, constituted the mission of L'Annonciation ;

That His Grace *Monseigneur* Joseph Thomas Duhamel, archbishop of Ottawa, upon a petition signed by a majority of the freehold inhabitants of the mission of L'Annonciation, on the 1st May, 1896, permitted the building of a new church, sacristy and a presbytery in the said mission, and that, for such purpose, on the 19th of March, 1897, the election of the trustees of the said mission was confirmed by the commissioners for the civil erection of parishes and an act of assessment authorized ; that on the 10th of April, 1897, the said act of assessment was passed and was duly homologated on the 29th of April of the same year, by the same commissioners ;

That the above-mentioned works have been performed, and the cost thereof has been paid by means of loans amounting to eleven thousand, five hundred dollars, for the repayment whereof the property of the freehold inhabitants, for the time being, of the mission of L'Annonciation were affected by the act of assessment of the 10th of April, 1897.

That, when the said church, sacristy and presbytery were built, the number of freeholders in the mission was limited ; that they had already made great sacrifices for the opening up of this new land to settlement ; that the newcomers benefited by the sacrifices of their predecessors, enjoyed much more comfort and contributed nothing towards the payment of the erection of the said religious edifices ; that, consequently, it is unjust that the same persons should be obliged to bear the expenses incurred for objects which equally benefit the newcomers ;

That His Grace the archbishop of Ottawa has deemed it advisable not to include within the limits of the new parish of L'Annonciation a certain portion of the township called the Macaza territory, which territory formed part of the old mission of L'Annonciation, and contributed its share towards the cost of such construction ; that, from the fact that such territory is excluded from the parish, it is just that it be relieved from the expense which the act of assessment imposed upon it for the erection of the religious buildings, which will not be used by it, and it is in consequence necessary that a new act of assessment be made ;

That the said parish of L'Annonciation is situated at a considerable distance from the place where the commissioners for the civil erection of parishes usually hold their meetings ; that communication is slow and very difficult, and that the petitioners are incurring and will incur outlay and considerable expense in communicating with them ; that it is consequently expedient that they be relieved from the necessity of having recourse to them in future for the purpose of obtaining the homologation prescribed by law ;

That the petitioners desire to obtain the passing of an act to civilly erect the canonical parish of l'Annonciation, to confirm the election of the trustees, dated the 17th May, 1896, and the deeds of loans for the construction of the church and presbytery of the said parish, to authorize the renewal of the assessment roll adopted on the 10th of April 1897, homologated on the 29th of April of the same year, based on the municipal valuation roll, and also apportioning each instalment, in virtue of the loans above mentioned, either for the payment of interest due or as a sinking fund for the capital, on the immoveables of the Roman Catholic freeholders of the said parish then granted by the government or occupied without title, to provide for the future necessary expenditure for the construction or repair of the religious buildings, presbyteries and cemetery, by exempting from homologation the election of the trustees and the act of assessment and the loan rendered necessary in such cases ;

And whereas, it is expedient to grant such prayer ;

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

1. The canonical parish of L'Annonciation, bounded and described as aforesaid, is civilly erected. Parish civilly erected.

2. The trustees elected on the seventeenth of May, 1896, for the purpose of building a church, sacristy and presbytery are confirmed in their office. Certain trustees confirmed in office.

Ex officio
members of
board of trus-
tees.
Quorum.
Constituted a
corporation.
Name.

3. The *curé* and the church-warden in office, of the said parish shall, *ex officio*, form part of the board of trustees, the quorum whereof shall be four; such board of which the president shall ordinarily be the *curé*, shall constitute a body politic, under the name of the "Trustees of the Parish of L'Annonciation."

Vacancies
how filled.

4. Vacancies among the trustees, arising from death or other cause provided by the common law, shall be filled by the Roman Catholic freeholders resident in the said parish by the majority of votes, at a general meeting of the said freeholders convened by a notice from the pulpit at the parochial mass during two consecutive Sundays, presided over by the *curé*, and such election shall not require any petition to the commissioners to convene the parochial meeting.

Election does
not require
confirmation
of commis-
sioners.

5. The election of trustees shall not require the confirmation, approval or authorization of the commissioners, if within fifteen days after such election there has not been any complaint drawn up in writing, signed by at least ten Roman Catholic freeholders resident in the parish, and deposited with the *curé* of the parish.

Power of
board to levy
certain sum
to pay off
loan.

6. The board of trustees is authorized to levy the sum of eleven thousand, five hundred dollars, with interest thereon, on the Roman Catholic freeholders of the said parish of L'Annonciation, for the purpose of paying off the loan contracted to defray the cost of the building of a church, sacristy and presbytery, by annual instalments, extending over a period of not more than fifty years; and the first instalment whereof shall be due and exigible on the thirtieth of March, 1904.

Fresh loan
may be con-
tracted.

7. At the expiration of the aforesaid loan, the board of trustees may contract a fresh loan, for the sum remaining to be paid upon the said first loan and for a period not exceeding the term specified in the foregoing section.

How instal-
ment is to be
levied.

8. The board of trustees shall levy each instalment, annually, on the Roman Catholic freeholders of the said parish, by means of an act of assessment covering the lands and other immoveables then conceded in the parish, comprising also all outlay and improvements on lands occupied by squatters, except lands and other immoveables, outlay and improvements then possessed or occupied by non-Roman Catholics. Such act of assessment shall be made, as far as possible, in the form indicated by article 3408 of the Revised Statutes, and shall be based on the municipal valuation roll

Form of act
of assessment.

then in force in the different municipalities included in the territory of the parish, and shall specify the amount in money in proportion to the quantity of materials, if need be, for which each lot of land or other immoveable has been assessed. The said act shall not be subject to homologation by the commissioners, the homologation of the municipal valuation roll replacing that of the commissioners ; but it shall be subject to appeal to the magistrate's court of the district, like the municipal valuation roll, and in the same manner.

Act not subject to homologation but to appeal.

The appeal shall have the effect of suspending the entry into force of the assessment roll, pending the decision of the court.

Appeal suspends entry into force of assessment roll.

9. The said new act of assessment shall cancel that homologated on the 29th of April, 1897, and the instalment due in virtue of such assessment roll in the year 1903, shall be the last exigible.

New act of assessment to cancel old one.

10. The act of assessment, after having been signed by the trustees, shall be deposited in the presbytery of the parish at least one month before the date on which the instalment becomes due, in order that the interested parties may take cognizance thereof, and notice thereof shall be given from the pulpit at the parochial mass on the Sunday following such deposit.

Deposit of act of assessment, &c.

Notice of deposit.

Such notice shall set forth to whom and where the instalments are to be paid.

Notice what to contain.

11. The board of trustees shall not be bound to make a new act of assessment every year, but it may levy fresh instalments of the assessment by means of the last act of assessment made by them, and, in such case, such act shall be deposited and notice shall be given as prescribed in the foregoing article.

New act yearly not necessary.

12. Nevertheless a new act of assessment shall be made by the board of trustees in the year following the entry into force of a new valuation roll in the parish.

New act when new municipal valuation roll made.

13. The instalments of the assessment shall, without other notice than that of the deposit of the act of assessment, be payable to the person and at the place indicated in the notice required by article 10 of this act.

When instalments payable.

14. The assessments imposed as aforesaid shall affect the assessed immoveables only for instalments due, including, from and after the deposit of the act of assessment in the presbytery, the instalment to become due under the act of assessment so deposited, and the procedure followed for the

What assessments are to affect the property in the parish.

collection of municipal taxes may be followed by the board of trustees for the recovery of such instalments.

Application
of surplus
revenues.

15. The *fabrique* may, with the authorization of the diocesan authority previously obtained, employ the surplus of its revenues in extinguishing the debt and diminishing the assessments to be made by the board of trustees for the aforesaid purposes.

Law appli-
cable.

16. The provisions of section three of chapter one of title nine of the Revised Statutes, which are not inconsistent with those of this act, shall apply to the board of trustees, to the works of construction and repair, and to the assessments, loans and generally to everything which may be done under this act.

Appoint-
ment and
salary of, and
security to be
given by
secretary-
treasurer.

17. The board of trustees may appoint a secretary-treasurer for the collection of the instalments on the assessments, the keeping of the trustees' books, the preparation of acts of assessment and other works connected with such assessments, and pay him such salary as may be agreed upon, and may exact from such secretary-treasurer security for at least five hundred dollars.

Insurance of
buildings.

18. It shall be lawful for the trustees to keep the religious buildings insured against fire and against accident.

Proceedings
to be taken if
new church
&c., required
and election
of trustees
therefor.

19. Should it become necessary to erect new religious buildings, such as a church, sacristy, presbytery or parochial meeting-room, to repair, improve or enlarge those already existing, to repair, improve, enlarge or change the cemetery or do other work for a religious purpose, and to levy on the parish a certain amount of money for that purpose, after making application to the diocesan authority and obtaining his approval, the commissioners for the civil erection of parishes, upon petition of the majority of the Roman Catholic freeholders resident in the parish, to them addressed, may permit the trustees acting under this act, if such trustees are still acting, to proceed according to the provisions of this act, and, if they have ceased to act, they may permit an election of trustees in accordance with articles 4 and 5 of this act.

Board con-
stituted a
corporation
and powers

Name.

20. The trustees so elected shall, with the *curé* and the churchwarden in office, constitute a board, whereof the *curé* shall be president, with a quorum of three, which shall be a body politic competent to act in the name of "the trustees of the parish of L'Annonciation."

21. If the aforesaid commissioners grant the said petition, the trustees may borrow, on the security of the assessment, for a term not exceeding fifty years, such sum as may be necessary for the above works, and this act shall apply to all proceedings to be taken to raise the amount borrowed and the interest and to complete the said works.

Power to borrow in certain event and act to apply there-to.

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

Coming into force.

CHAP. 111

An Act respecting the parish of St. Michael the Archangel, Montreal

[Assented to 25th April, 1903]

WHEREAS the *cure* and churchwardens of *l'Œuvre et Fabrique* of the parish of St. Michael the Archangel, Montreal, have, by petition, represented that it is urgent, for the good of the parish, that a church and parsonage be erected as soon as possible on the grounds purchased by the *fabrique* for that purpose; that it is necessary that a loan be effected for the purpose, and that special legislation be passed respecting such loan; and that the rate-payers have unanimously approved the said petition;

Preamble.

Whereas it is prayed that an act to that effect be passed, and it is expedient to grant such prayer;

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. Michael the Archangel, Montreal, may, by an act of assessment, levy, upon the Catholic freeholders, who are not of French origin, of the parish, an annual sum not exceeding twenty cents for every hundred dollars of the value of the taxed immoveable property, for a period not exceeding fifty years, to be applied to the payment of the interest and sinking fund on a loan of not more than forty thousand dollars to be used in the building of the said church and parsonage and for the costs occasioned by the assessment; provided the immoveables of the said freeholders situate within the parish be affected and the said freeholders be liable only to the extent of the accrued payments of the said assessment, and provided such of the said freeholders as may form themselves into a separate parish shall thereupon *ipso facto* cease to be subject to this act.

Assessments upon Catholic freeholders, not of French origin, authorized.

Proviso.