

C H A P. 9 4

An Act to civilly erect the parish of *La Nativité de Marie de Labelle*, in the county of Labelle, and to provide for the building of a church and sacristy in the said parish.

[Assented to 26th March, 1902]

WHEREAS the *curé* and church-wardens of *l'œuvre et fabrique* of the parish of *La Nativité de Marie de Labelle*, in the county of Labelle, have, by their petition, represented :

That, on the 27th of November, 1901, His Grace *Monseigneur* Joseph Thomas Duhamel, archbishop of Ottawa, canonically erected as a cure and parish, under the name of *La Nativité de Marie*, the following territory to wit :

“The township of Joly, the ten lots of the township of Marchand on each side of the Rouge river nearest the township of Joly, and the first fifteen lots of ranges eleven and twelve of the township of La Minerve, touching the township of Joly, bounded as follows, to wit : on the north by the line dividing the township of Joly from the unsurveyed lands ; on the east by the line dividing the township of Joly from the township of Clyde ; on the south by the line dividing the township of Joly from the township of La Minerve, as far as the line separating range twelve from range thirteen of the township of La Minerve, and following the said line to that separating the lots numbered fifteen from the lots numbered sixteen of ranges twelve and eleven, and following the latter line to the township of Marchand ; towards the west by the line dividing the township of Joly from the township of Marchand, as far as the line separating the range south west of the Rouge river from range six of the township of Marchand, and following the said line to the west line of lot number ten of the south west range of the same township of Marchand, and following the latter line to the north and crossing the Rouge river by the same line west of lot number ten of the range north east of the Rouge river as far as the unsurveyed lands ;”

That His Grace *Monseigneur* Joseph Thomas Duhamel, archbishop of Ottawa, on a petition signed by the majority of the freehold parishioners of the said parish, has granted permission to build a new church and a new sacristy therein and that, in order to provide for the cost of such construction, it will be necessary to levy the sum of twenty thousand dollars by assessment on the Roman Catholic freeholders of the said parish ;

That the petitioners are desirous of obtaining the passing of an act civilly erecting the said canonical parish of *La Nativité de Marie de Labelle*, and authorizing the election of trustees for the purpose of levying, upon the Roman Catholic freeholders of the said parish, the said sum of twenty thousand dollars for defraying the cost of building the church and sacristy of the said parish, payable in yearly instalments, extending over a period of fifty years, the whole based on the valuation roll in force, and to be levied by means of annual acts of assessment, apportioning each instalment upon the immoveables of the Roman Catholic freeholders of the parish then conceded by the Government and upon the outlay for repairs and improvements of lands occupied by settlers without title (squatters), and empowering the trustees to be elected to borrow the money needed for the cost of such construction; and that at a meeting of the Roman Catholic freeholders of the said parish, held on the 26th of January, 1902, duly convened, it was unanimously resolved that the passing of an act for the aforesaid purposes be applied for.

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 follows:

Parish civilly erected.

1. The canonical parish of *La Nativité de Marie de Labelle*, bounded and described as above stated, is erected civilly.

Election of three trustees provided for.

2. Within three months from the coming into force of this act, the Roman Catholic freeholders of the said parish shall, by the majority of votes given at a general meeting of the freehold inhabitants, presided over by the *curé*, and convened by a notice given out from the pulpit at the parochial mass on two consecutive Sundays, elect three trustees chosen from amongst the Roman Catholic freehold inhabitants of the parish, for the purpose of levying, upon the Roman Catholic freehold inhabitants of the said parish, an amount not exceeding twenty thousand dollars to defray the cost of building a church and sacristy in the said parish, and such election shall not require a petition to the commissioners for the calling of the meeting of the inhabitants of the parish.

Petition to commissioners not required.

3. The election of the said trustees shall not require the confirmation, approval and authorization of the commissioners if, within fifteen days after such election, there have been no written complaints formulated and deposited with the *curé* of the parish.

Election need not be confirmed by commissioners, &c.

4. The *curé* and churchwarden in office of the said parish shall *ex officio* form part of the board of trustees, the quorum whereof shall be three, and the board shall constitute a corporation and body politic under the name of "The trustees of the parish of *La Nativité de Marie de Labelle*." *Ex-officio* members and quorum. Board to be a corporation. Name.

5. Vacancies among the trustees, arising through death or otherwise, shall be filled in the manner set forth above for their election. Filling of vacancies.

6. The amount to be levied on the said parish—which shall not exceed the sum of twenty thousand dollars, including the cost of drawing up the act of assessment, the collection of the assessment and all incidental expenses, as well as the costs incurred for obtaining the passing of this act—shall be paid by the Roman Catholic freeholders of the said parish by annual instalments extending over a period of fifty years, the first of which shall become due and exigible on the 1st of May, 1903, and the others on the 1st of May of each following year. How amount levied to be paid, and what sums to be comprised therein.

7. The board of trustees shall annually levy each instalment on the Roman Catholic freeholders of the said parish, by means of an act of assessment covering all the lands and other immoveables then conceded in the parish, comprising also the outlay for repairs and improvements of those lands occupied by occupants without title, squatters, save and except the lands and other immoveables and outlay for repairs and improvements then held or occupied by non-Catholics. Such act of assessment shall, as far as practicable, be drawn up in the form indicated by article 3408 of the Revised Statutes, and shall be based on the municipal valuation roll then in force in the various municipalities comprised within the territory of the parish, and shall indicate the amount in money, proportionate to the quantity of materials if necessary, for which each lot or other immovable has been assessed. Such act shall not be subject to homologation by the commissioners; the homologation of the municipal valuation roll shall replace that of the commissioners, but shall be liable to appeal as the municipal valuation roll, before the district magistrates' court and in the same manner. The appeal shall suspend the coming into force of the assessment roll until the judgment is rendered. Annual levy of instalment upon R. C. freeholders, &c. How act of assessment to be drawn. Shall not require to be homologated by commissioners but liable to appeal. Effect of appeal.

8. The act of assessment shall, after being signed by the trustees, 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 parties interested may take Deposit of act of assessment in the presbytery.

Notice of deposit.

cognizance of the same, and notice thereof shall be given from the pulpit at the parochial mass on the Sunday following such deposit.

New act of assessment every year not necessary, &c.

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

When new act of assessment to be made.

10. Nevertheless, a new act of assessment shall be made by the board of trustees, in the year following the coming into force of a new municipal valuation roll in the parish or mission.

When instalments are payable and where.

11. The instalments of the assessment shall, without any other notice than that of the deposit of the act of assessment, be payable at the office of the secretary-treasurer of the trustees or, if there be no such office, at the presbytery of the parish.

Assessment to affect immoveables from certain date.

12. The assessment, imposed as aforesaid, shall affect the immoveables assessed only as regards instalments due, including, counting from the deposit of the act of assessment in the presbytery, the instalment to become due under the act of assessment so deposited.

Board of trustees may borrow certain sum of money to carry on works.

13. The board of trustees is authorized to effect the loans necessary for carrying on the works on the security of the assessment; the amount to be borrowed shall not exceed the aforesaid sum of twenty thousand dollars.

Fabrique may with consent of parish meeting, borrow or join with board to borrow. Sanction of bishop required for loans.

14. The *fabrique* of the parish may itself, with the consent of the parish meeting previously obtained, borrow for the purposes aforesaid, or it may unite with the board of trustees to borrow jointly with it or to secure the repayment of the amount borrowed in whole or in part. But no loan can be contracted either by the board of trustees or by the *fabrique* without being previously authorized by the bishop.

Fabrique, with like authorization, may assist, in works, &c.

15. The *fabrique* may likewise, with the authorization of the bishop and of a parish meeting, aid the trustees with its moneys in the said work of construction and repairs, and, if deemed advisable, may for such purpose expend the surplus of its revenue over expenditure, and it may also, with the aforesaid authorization, assume a distinct portion of the cost of such works.

16. The provisions of section III of chapter I of title IX of the Revised Statutes, not inconsistent with the provisions of this act, shall apply to the board of trustees, to the works of construction and repairs, to the assessment, to loans and generally to everything done in virtue of this act.

Certain provisions of Revised Statutes to apply, &c.

17. The board of trustees may appoint a secretary-treasurer to collect the instalments of the assessment, to keep the trustees' books, to draw up the acts of assessment and to do other work in connection with the said assessment, and pay him the salary that shall be agreed upon, and it may exact security from such secretary-treasurer to the amount of at least five hundred dollars.

Appointment, duty and salary of secretary-treasurer, &c. Security may be required from him.

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

Buildings, &c, to be insured against fire &c.

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

Coming into force.

CHAP. 95

An Act to amend the charter of the Corporation of the German and Polish Jews of Montreal

[Assented to 26th March, 1902]

WHEREAS the Corporation of the German and Polish Jews of Montreal has, by its petition, represented that the said corporation is composed of the president, trustees, treasurer and secretary of the congregation of the German and Polish Jews of Montreal, and that it is desirable that the members of the said congregation, and not merely the officers thereof, should form the corporation ; that it would be more correct to call the said corporation " The Corporation of English, German and Polish Jews of Montreal " ; that the increase in value of real estate in Montreal has rendered it necessary to increase the powers of the said corporation to hold property ; that it is also desirable to free the members of the said congregation from the exceptional rules as to registration imposed upon them by the act of the late Province of Lower Canada, 9-10 George IV, chapter 75, and the act of the late Province of Canada, 9 Victoria, chapter 96, and to otherwise amend the charter of the said corporation, and that it is necessary to validate the registers of civil status heretofore kept by its officiating ministers which do not conform to all the requirements of the law ;

Preamble.