

CAP XLV.

An Act to regulate church assessments in Roman Catholic parishes in Montreal, in so far as national parishes are concerned.

[Assented to 12th July, 1888.]

WHEREAS Roman Catholic territorial parishes and Preamble.
national parishes for English speaking Roman Catholics exist in the city and in the heretofore parish of Montreal;

Whereas the parishioners of the said territorial and national parishes contribute for the temporal support of their respective churches;

Whereas it is expedient to regulate how the real estate of Roman Catholics shall be liable to be assessed for church purposes, in reference to such different parishes;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The immoveables of English speaking Roman Catholics situate, within the limits of any such national parish, shall be liable to be assessed for the building or repairing of the national parish church, parsonage or cemetery and for the payment of debts contracted for the same, whether the proprietors thereof reside within or without such national parish; but such real estate shall not be liable to be assessed for the benefit of the territorial parish within which they are situate, nor for the benefit of any other national parish to which the proprietors of such real estate may belong. Certain immoveables liable for certain church assessments. Not liable for certain others.

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

CAP. XLVI.

An Act respecting assessments for the construction of churches in the parish of St. Mary's of Notre-Dame du Bon Conseil.

[Assented to 12th July, 1888.]

WHEREAS it is expedient to establish special provisions for the taxation of the immoveable property belonging to the Roman Catholics of the English speaking national parish of St. Mary's of Notre-Dame du Bon Conseil in the City of Montreal; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Calling of meetings.

1. In the aforesaid parish, a public meeting of the Roman Catholic freeholders of such parish may be held, after notice calling such meeting from the pulpit on the two Sundays preceding the holding of the meeting, for the purpose of levying an assessment upon the immoveable property of the Roman Catholic freeholders of the parish, as established in sections 3 and 4 of this act, for building or repairing the church or presbytery or for the cemetery of such parish, or for paying the debts contracted by the *fabrique* of such parish for ecclesiastical purposes.

Appointment of trustees at meeting if decided to levy taxes for certain church purposes.

2. If it is decided by the majority of the persons present at such meeting to levy, by assessment, a certain sum for the construction or repair of a church or presbytery or for a cemetery, or for the payment of debts contracted by the *fabrique* of such parish for ecclesiastical purposes, as aforesaid, there shall be appointed at such meeting or at a subsequent meeting, three or five trustees, who are proprietors of immoveable property and resident in the parish, who, with the *curé* and senior church warden in office, shall form a corporation under the name of the "trustees of the parish of St. Mary's of Notre-Dame du Bon Conseil."

Name of such board.

Rate of assessment.

3. Such assessment shall not exceed forty cents for every hundred dollars of the value of the property assessed, and must be renewed each year for not more than ten years.

Renewable annually for ten years.

Basis of act of repartition.

4. The act of repartition is based upon the municipal valuation roll in force at the time of each new repartition.

Deposit of roll.

Notice of deposit.

The roll and the act of repartition shall be deposited in the business office of the trustees, and notice of such deposit is given from the pulpit of the church upon two consecutive Sundays.

Annual repartition how and when payable.

5. The annual repartition is payable in two half-yearly instalments, fifteen days after the notice of such deposit with respect to the first instalment, and six months after that time with respect to the second instalment.

Persons in default may be sued after certain signification.

Any person in default may be sued by the corporation of trustees fifteen days after the service at the domicile of the rate-payer, or the sending, to his usual address in this Province, by registered letter, of a statement showing the sums due by him, and a notice that the same will be sued for fifteen days after such transmission in default of payment.

Posting of notice in certain cases.

In the absence of a known domicile, the notice shall be posted up for two Sundays at the door of the parish church

2. A copy of each annual repartition shall be deposited in the proper registry office at the diligence of the trustees. Deposit of copy of act of repartition in registry office.

3. Notice of the deposit of the repartition in the business office of the trustees may also be deposited in the proper registry office by the *curé* or one of the trustees. Notice of deposit.

4. The hypothec dates from the day of the deposit in the registry office of the notice mentioned in paragraph 3 of this section, if made; if not, from the day of the deposit of the repartition. Date of hypothec.

6. The immoveable property shall be bound and hypothecated by privilege, and the proprietors personally liable, only up to the amount of the annual repartition. Property and proprietors bound only for amount of annual repartition.

They shall be entirely freed from future repartitions, dating from the alienation of the immoveable property made in good faith by the rate-payers, saving the taxing again of such immoveable property, if there is occasion therefor, and any other immoveable property which has become liable to the repartition since the levying of the previous repartition. Bona fide sale to free property from future repartition. Proviso.

7. The trustees may sue for the recovery of the repartition before the Superior Court or the Circuit Court, as the case may be, upon the production of a copy of the act of repartition or an extract from such act, certified by the *curé* or the secretary of the trustees, whose signature shall be authentic and official. Power of trustees to sue and proceedings thereon.

8. Any vacancy arising in the board of trustees by resignation, death, or leaving the parish, incapacity or refusal to act, shall be filled in the manner above indicated for their election. Vacancy in board how filled.

9. The trustees shall deposit in the name of the trustees, in an incorporated bank, the sums collected every week, and the sums so deposited cannot be withdrawn except upon an order or cheque signed by the *curé* and by two trustees. Moneys to be deposited in bank by trustees. How withdrawn.

10. The trustees shall require their secretary-treasurer to furnish security for at least one thousand dollars, under penalty of being jointly and severally personally liable for the errors, defalcations or malversations of such secretary-treasurer. Security to be furnished by secretary-treasurer.

11. The trustees shall render account of their administration yearly, at the expiration of the year, at a meeting of the old and new churchwardens, and shall give a detailed statement of the amounts collected and the employment thereof, as well as of the sums to be collected, Trustees to account and to whom.

with the names of the persons in arrear and the amounts due by each of them, and each statement shall indicate the amounts to be collected on each previous assessment.

Suit in default.

2. In default of so rendering account, the trustees may be sued to compel them to render such account by the parish priest and churchwardens of *l'œuvre et fabrique* of the parish, and to cause them to be removed if need be.

Coercive imprisonment.

3. The trustees shall be liable to coercive imprisonment for the payment of the amounts which they may be found to owe.

Trustees appointed at certain meeting declared to be a legal corporation and may levy assessment decided upon at such meeting.

12. Whereas, at a meeting of the freehold inhabitants of the said English speaking national parish of St. Mary's of Notre Dame de Bon-Conseil, in the city of Montreal, duly convened and held on the 10th of June, 1888, it was unanimously resolved to levy an assessment upon the real estate situate within the said parish belonging to Roman Catholics speaking the English language, for the purpose of levying an amount of \$19,370 to pay a portion of the debt contracted for the construction of the parish church and presbytery in the said parish, and whereas such sum is to be levied by means of an assessment not exceeding forty cents in every hundred dollars and not to extend beyond ten years, and three trustees were elected by the said meeting for the purpose of levying such assessment, jointly with the *curé* and the churchwarden in office ;

Their corporate powers.

It is enacted that such trustees shall, with the *curé* and the churchwarden in office at the date of each lawful assessment, constitute a corporation in law, as aforesaid and they may proceed to levy such assessments under the provisions of this act, as if the proceedings had been commenced after the passing of this act.

Coming into force.

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

CAP. XLVII.

An Act respecting Public Health.

[Assented to 12th July, 1888.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Composition of the Board.

Certain number of persons enough appointed.

1. Seven persons may be appointed by the Lieutenant-Governor in Council to form a Board of Health in the Province under the name of the "Quebec Provincial Board of