

## CAP. XVII.

An Act to authorize the catholic school commissioners of the school municipality of St. Henri, county of Hochelaga, to raise a certain sum, and purchase real property and erect buildings thereon, for school purposes.

[Assented to 24th December, 1875.]

**W**HEREAS, the catholic school commissioners for the school municipality of St. Henri, county of Hochelaga, have by their petition prayed to be allowed to acquire real property, and erect buildings for educational purposes and establish within the limits of the said school municipality all such schools as the said commissioners may deem necessary, and for this purpose to raise a sum not exceeding \$50,000, and whereas, it is expedient to grant their prayer: Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Notwithstanding any provision of the law on education now in force in this province to the contrary, it shall be lawful for the catholic school commissioners of the school municipality of St. Henri, county of Hochelaga, to acquire within the limits of their municipality, immoveable property, to build one or more school houses thereon, and to establish therein all such schools as the said commissioners shall deem advisable, and for these purposes to raise a sum not exceeding fifty thousand dollars.

Preamble.  
Acquisition  
of properties  
and loan of  
\$50,000.

2. It shall be lawful for the said commissioners to borrow money, to issue debentures or bonds to the amount of the said sum of fifty thousand dollars, or else to impose a special tax to raise the said sum, the said tax to be spread over as many years as the said commissioners shall deem advisable, provided that the annual tax does not exceed ten thousand dollars.

Bonds.

Tax.

Proviso:

3. The said special tax shall be raised and collected in the same manner as the annual taxes, the said commissioners having for the raising and collection of such special tax, the same rights granted by law for the levying and collection of the annual taxes; and such tax shall not be levied, nor such bonds or debentures shall be issued, nor such loan contracted, except after the observance of the following formalities, that is to say:

Collection of  
the tax.

Formalities  
required.

4. The said commissioners, after passing a resolution to levy the said tax, issue the said bonds or debentures,

Resolution.

Notice. or effect the said loan, shall cause their secretary-treasurer to give notice of the place and hour in which the said resolution shall be submitted for the approval of the ratepayers qualified to vote at the election of school commissioners.

Publication. **5.** The said notice shall on two consecutive sundays, be read at the church door of the roman catholic church of the village of St. Henri, and a copy thereof shall be posted up on the first Sunday, upon the door of the said church.

Meetings. **6** The meeting shall be held in the place indicated in the said notice, within the limits of the said municipality ; it shall commence at the hour of ten in the morning, and shall be presided over by the chairman of the commissioners, or by another rate-payer appointed by them.

Approval of the rate-payers. **7.** At the place, and on the day and hour indicated, the said chairman shall open the meeting by explaining the purpose thereof, and shall demand of the rate-payers then present if they approve of the said resolution. If no one objects thereto during the space of one hour, the said chairman shall declare the said resolution approved ; but if ten rate-payers qualified to vote as aforesaid at the election of commissioners, shall within the said hour oppose the said resolution, the chairman shall immediately open a poll to record the votes of the rate-payers. The said poll shall remain open until four of the clock in the afternoon, and on the following day from ten in the forenoon until four in the afternoon.

Poll.

Votes. **8.** The votes of electors in favor of the resolution shall be recorded under the word "yea," and the votes of those against it, under the word "nay."

Consequence of the vote. **9.** If at the close of the poll, the "yeas" are in a majority, the said resolution shall be held to have been approved, and the tax may be levied and collected, or the said loan may be effected, or bonds issued ; if the "nays" are in a majority the said resolution shall remain without effect.

If, however, the "nays" are in a majority, the commissioners may, at the end of a year, again submit the said or any other resolution to the approval of the rate-payers, in the manner above prescribed.

Tax required. **10.** No issue of bonds or debentures shall take place, and no loan be effected, until there shall, by the resolution authorizing the same, be imposed upon the taxable property of the catholics only, liable for the payment of such loan or bonds, an annual tax sufficient to pay the

yearly interest, and at least two per cent in addition to Sinking fund the interest, to form a sinking fund, until the said debt is extinguished.

**11.** The rate-payers, proprietors of such real estate, Voters, shall alone have the right to vote upon the approval or disapproval of such resolution.

**12.** The delay to contest the proceedings had under such resolution, shall be thirty days and no longer. Delay to contest.

## CAP. XVIII.

An Act to amend chapter 21 of the Consolidated Statutes for Lower Canada, respecting Interments and Disinterments.

[Assented to 24th December, 1875.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Sub-section one of section two and section eight of chapter twenty-one of the consolidated statutes for Lower Canada, intituled: "An Act respecting Interments and Disinterments," are amended to read as follows: C. S. L. C., c. 21, ss. 2, 8, amended.

"2. On a petition being presented to any judge of the superior court, either in term or in vacation, by any person praying for leave to disinter a body or bodies buried in any church, chapel or burial-ground, with a view to erection, repair or alienation of a church, chapel or burial-ground, or with a view to re-interment of the said body or bodies, in another part of the same church, chapel or burial-ground, or in another church, chapel or burial-ground, or with a view to the reconstruction or repair of the tomb or coffin in which a body has already been buried, and indicating, in the case of a proposed removal of any body or bodies, the part of the same church, chapel or burial-ground, or the church, chapel or burial-ground, to which it is proposed to effect the removal, and on proof being made on oath to his satisfaction of the truth of the allegations contained in such petition, such judge may ordain that the body or bodies shall be disinterred as prayed for." Order for leave to disinter given by the judge of sup. court.

"8. Before proceeding to any disinterment in any roman catholic church, chapel or burial-ground, under this act, permission to that effect shall be obtained from the superior ecclesiastical authority of the roman catholic diocese, in which the same is situate." Permission of the Ec. authority, required.