



CHAPTER 12

An Act to ratify the contract between the Government of the Province and *Les Sœurs de la Charité de Québec*, respecting the custody, care and maintenance of children in its industrial school

[Assented to, the 29th of April, 1941]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

- 1.** The contract respecting the custody, care and maintenance of children in the industrial school known as *Orphelinat d'Youville*, passed on the second of November, one thousand nine hundred and thirty-five, before Émile Delâge, notary, under the number 2601 of his minutes, between the Government of the Province of Quebec and *Les Sœurs de la Charité de Québec*, and reproduced as an annex to this act, is approved and ratified as from the 2nd of November, 1935. Contract ratified.
- 2.** This act shall come into force on the day of its sanction. Coming into force.

ANNEX

On the second day of the month of November, in the year one thousand nine hundred and thirty-five, Before Émile Delâge, the undersigned notary public for the Province of Quebec, Canada, residing and practising in the city of Quebec,

Appeared:

His Majesty the King, herein represented by the Honourable Athanase David, of the city of Montreal, advocate, King's Counsel and Secretary and Registrar of the Province of Quebec, authorized for the purposes hereof by an Order of the Lieutenant-Governor of the Province of Quebec in Council, No. 2820, dated the ninth day of October (1935), and approved on the tenth day of October (1935), by His Honour the Lieutenant-Governor, a copy whereof is annexed to the original of these presents,

AND

Les Sœurs de la Charité de Québec, a body politic and corporate, having its chief place of business in the city of Quebec, herein represented by Dame M.-Emilie Corriveau, in religion Sister Sainte-Darie, *économome générale* of *Les Sœurs de la Charité de Québec*, specially authorized for the purposes hereof by a resolution of the council of *Les Sœurs de la Charité*, dated the 10th October, 1935, a copy of which has been annexed to the original hereof,

Which parties have stipulated and covenanted together as follows:

The Community, duly authorized by His Grace Monseigneur Omer Plante, administrator of the diocese of Quebec, binds itself to receive, lodge, maintain, feed, clothe and teach a maximum of two hundred children of the male sex and one hundred of the female sex who will be sent to its industrial schools known as *Orphelinat d'Youville*, to instruct them in all works suitable to their age and oblige them to perform the same, and, in fact, so to deal with them as to give complete satisfaction and to carry out the purpose for which the said schools have been established. Further, the Community agrees to give them all the necessary care, as well in health as in sickness, and, for the greater benefit of such children, may transfer certain groups to one of its country establishments.

2. The said industrial school shall be submitted and be subject to the laws in force in this Province, and to those which may in future be passed, as also to all the laws respecting Government inspection and superintendence.

3. In case any of the children confided to its care should escape, the Community shall be obliged to

apprehend them and have them brought back at its own expense.

4. The Community shall be obliged to furnish to the Department of the Provincial Secretary of Quebec a weekly report in which it shall give the dates of entry, of escape, of temporary release, of readmission, of final discharge, as well as that of the death of each of the said children.

5. In default by the Community to furnish the said weekly report, the Government shall have the right to retain a sum representing the board of the children whose places have remained vacant owing to the fact that the report has not been filed with the Department of the Provincial Secretary in compliance with the provisions of the above-mentioned clause, for the time during which such places shall so remain vacant.

6. The Community shall comply with the instructions which the director-general of hospitals for the insane and the Provincial Secretary may give it, from time to time, provided that the carrying out of such instructions does not have the effect of appreciably increasing the cost of maintenance of the children.

7. The Community shall be further bound to furnish the Provincial Secretary with a copy of the contract of apprenticeship or for domestic service of each child placed by it outside of the said industrial school.

8. In addition to the persons authorized by law so to do, it shall be lawful for the judges of the Sessions of the Peace, the members of the Legislative Council and of the Legislative Assembly of the Province, the members of the Executive Council, as well as the bishop of the diocese and his *grands vicaires*, and other persons authorized by the said bishop, at any time, to visit, at reasonable and suitable hours, the said industrial school so kept by the said Community.

9. In default by the said Community to carry out the clauses and conditions hereinbefore stipulated, this contract shall become null and of no effect for all legal purposes.

10. This contract is made for a term of ten years, to be computed from the first of September, nineteen hundred and thirty-five, and shall expire on the first of September, nineteen hundred and forty-five.

11. The Government of the Province of Quebec undertakes, on its part, to pay annually to the Community, at the office of the Provincial Treasurer, a sum of

one hundred and thirty dollars (\$130.00), *per capita*, for each of the said children, the payments to be made monthly, between the first and the twelfth of each month.

12. It is understood that this contract shall have force and effect only in so far as it shall have been ratified and confirmed by Order-in-Council and by an act of the Legislature of the Province of Quebec.

And herein intervened His Grace Monseigneur Omer Plante, Bishop of Dobero, acting in his capacity of administrator of the diocese of Quebec and as such in that of ecclesiastical superior of the said Community, who, after having taken communication of the present contract, has declared that he approves and ratifies the same.

Whereof Acte, at Quebec, in the office of the undersigned notary, under the number two thousand six hundred and one of his minutes.

In testimony whereof and after due reading, the parties have signed with me, the said notary.

(Signed) ATHANASE DAVID,
 " J. OMER PLANTE, Bp. of Dobero,
 Aux. of Quebec,
 " M.-EMILIE CORRIVEAU, dite
 Sister Sainte-Darie,
 " ÉMILE DELAGE, N.P.

True copy of the original remaining in my office.

ÉMILE DELAGE, N.P.

LES SŒURS DE LA CHARITÉ DE QUÉBEC

At a meeting of the Council of *Les Sœurs de la Charité de Québec*, held at Quebec, on the tenth day of October, one thousand nine hundred and thirty-five.

It was moved and unanimously resolved:

Dame M.-Emilie Corriveau, known as Sister Sainte-Darie, *économé générale* of *Les Sœurs de la Charité de Québec*, is authorized to sign a contract with the Government of the Province of Quebec respecting the *Orphelinat d'Youville*, for a period of ten years to be computed

from the first of September, one thousand nine hundred and thirty-five, the whole subject to the charges, clauses and conditions agreed upon with the Government and contained in a draft deed prepared by Mtre. Émile Delâge, and approved by the Council of the Community.

(Signed) SR. SAINTE-THÉRÈSE DE JÉSUS,
General Secretary.

Certified copy,
Quebec, October 12th, 1935.

(Signed) SR. SAINTE-THÉRÈSE DE JÉSUS,
General Secretary.

This is the resolution mentioned in a deed of agreement between His Majesty the King and *Les Sœurs de la Charité de Québec*, respecting the *Orphelinat d'Youville*, and attached to the said deed, after having been verified by the party of the second part and the undersigned notary.

(Signed) Dame M.-EMILIE CORRIVEAU dite
Sœur SAINTE-DARIE,
" ÉMILE DELAGE, N.P.

True copy,

ÉMILE DELAGE, N.P.

Copy of the report of a committee of the Honourable the Executive Council, dated the 9th of October, 1935, approved by the Lieutenant-Governor on the 10th of October, 1935

Respecting a contract between the Government of the Province and *Les Révérendes Sœurs de la Charité de Québec*.

The Honourable the Provincial Secretary, in a memorandum dated the 9th of October (1935), recommends that he be authorized to sign, for and in the name of the Government of the Province, a contract with *Les*

Révérèdes Sœurs de la Charité de Québec, for the custody and maintenance of children in the industrial school known as *Orphelinat d'Youville*.

Certified,

(Signed) A. MORISSET,
Clerk of the Executive Council.

2820

True copy,

ÉMILE DELAGE, N.P.