



CHAPTER 137

An Act to amend the charter of *Les Frères des Ecoles Chrétiennes*

[Assented to, the 17th of May, 1937]

WHEREAS the corporation known under the name Preamble.
of "*Les Frères des Ecoles Chrétiennes*" has, by its
petition, represented:

That it was incorporated by the act 39 Victoria, chapter 80, assented to on the 24th of December, 1875;

That, since that date, the corporation has considerably developed, that it has founded many houses and that it is advisable that the property situated in the religious district of Quebec be administered by a distinct civil corporation to be constituted under the name of "*Les Frères des Ecoles Chrétiennes de Québec*";

That it is advisable to change its name to avoid any confusion, to better define its rights and powers and to amend certain provisions which restrict and limit same;

That this petition is made with the approval of the Ordinary of the diocese of Montreal; and

That it is expedient to grant the prayer contained in the said petition;

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

1. Section 1 of the act 39 Victoria, chapter 80, is 39 Vict., c. 80, s. 1, replaced.

"**1.** The petitioners and the *Frères des Ecoles Chrétiennes*, and those who shall hereafter be lawfully joined Incorporation.

Name. to them, are constituted a body politic and corporate and shall form a corporation under the name of "*Les Frères des Ecoles Chrétiennes de Montréal*" with all the usual civil and political rights, privileges, immunities and powers belonging to corporations."

39 Vict., c.
80, s. 2, re-
placed.

2. Section 2 of the said act is replaced by the following section:

Powers of
the corpora-
tion.

"**2.** The said corporation, under the same name, shall have perpetual succession and shall enjoy all the rights, powers and privileges of other corporations, and particularly of those whose object is spiritual, religious or moral. They may at all times increase their number with other members, and establish them in one or more places. They may also, at all times and places, by purchase, donation, bequest, cession, loan, or in virtue of the present act, or by any other lawful title, acquire, possess, inherit, take, hold, accept and receive any property moveable and immoveable whatever, for the uses and purposes of the said corporation, as also hypothecate, sell, lease, farm out, exchange, alienate and finally dispose legally of the same, in whole or in part, for the same purposes; provided that such immoveables shall not exceed in annual value the sum of one hundred thousand dollars over and above the value of the immoveables occupied for the purposes of the said corporation; and provided also that if the said corporation become proprietor of immoveable property exceeding in annual value the sum of one hundred thousand dollars, as aforesaid, it shall be obliged to sell such surplus property within five years from the date of so acquiring the same, and to invest the proceeds in mortgages or other lawful securities."

39 Vict., c.
80, s. 3a,
added.

3. The said act is amended by adding thereto, after section 3 thereof, the following section:

Additional
powers.

"**3a.** The corporation may, by mere resolution of its council:

1. Contract loans on the credit of the corporation, issue bonds or other securities of the corporation and give the same in guarantee or sell them at the price and amount considered advisable;

2. Hypothecate, mortgage or pledge the moveable or immoveable property, present or future, of the corporation, to assure the payment of such bonds or other

securities, or give a part only of these guarantees for the same object; and constitute the hypothec, mortgage or pledge, mentioned in this sub-paragraph, by a deed of trust in accordance with chapter 227 of the Revised Statutes, 1925, and its amendments, or in any other way;

3. Hypothecate or mortgage the immoveables, or pledge or otherwise affect the moveables of the corporation, or give all such kinds of guarantees, to secure the payment of loans made otherwise than by bond issue, as well as the payment or execution of other debts, contracts and undertakings of the corporation."

4. Section 4 of the said act is replaced by the following section:

39 Vict., c. 80, s. 4, replaced.

"4. The *Visiteur des Frères des Ecoles Chrétiennes* for the religious district of Montreal, the director of *Mont-Saint-Louis* at Montreal, the director of the novitiate of the *Frères des Ecoles Chrétiennes* at Montreal, the *Procureur des Frères des Ecoles Chrétiennes* for the religious district of Montreal shall always be the council of management and shall be the sole administrators of the said corporation, of which they shall be the sole attorneys and agents, under and in conformity with the rules and statutes of their order actually in force and in operation, in the said institute, and which shall hereafter come into force, in accordance with changes made, in conformity with the constitution of the said institute then in force, and no other member of the said corporation shall be named or form the said council of management, nor be a member thereof, and the said council shall be called and known as "the council of management of the *Frères des Ecoles Chrétiennes de Montréal*" and as such shall make all deeds and agreements which it may deem in the interest of the said corporation, and which shall be obligatory upon the said corporation, without any of the members of the said corporation having the power to contravene the same in any manner whatever; and the said council of management may delegate its powers to one of its members, and the acts of the person thus authorized shall also be as binding as if made and passed by the council of management itself."

Composition and powers of council of management.

5. The said act is amended by adding thereto, after section 4 thereof, the following sections:

39 Vict., c. 80, ss. 4a, 4b, added.

Printing,
etc., of
school books,
etc.

Establishing
of cemetery,
etc.

Ceding of
certain prop-
erty.

Proviso.

39 Vict., c.
80, s. 5a,
added.

Corporate
seat.

Coming into
force.

“**4a.** The corporation may print, publish, purchase and sell school books and stationery, pamphlets, text-books and other publications in any way serviceable for its masters and pupils and conducive to the advancement of the works of the corporation on conforming to the provisions of the Education Act; establish, in conformity with the conditions and formalities required by law and the regulations of the Board of Health of the Province of Quebec, cemeteries, vaults or crypts upon its property for the disposal of the mortal remains of the members or benefactors of the corporation, or of any other person in any way connected with the corporation.

“**4b.** The corporation may cede, by gift or otherwise, to the corporation to be constituted under the name of “*Les Frères des Ecoles Chrésiennes de Québec*” all its moveable and immoveable property situated in the religious district of Quebec, subject to the latter assuming all the obligations affecting such property.”

6. The said act is amended by adding thereto, after section 5 thereof, the following section:

“**5a.** The corporate seat of the corporation shall be in Montreal in the Province of Quebec, but it may be changed at will by mere resolution of its council, provided that it be in the Province of Quebec; such resolution shall come into force only from the publication of a notice of such change in the *Quebec Official Gazette*.”

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