



CHAPTER 141

An Act to consolidate the charter of *La Société Saint-Jean-Baptiste de Québec*.

[Assented to, the 20th of May, 1937]

WHEREAS *La Société Saint-Jean-Baptiste de Québec* was incorporated by the act 12 Victoria, chapter 148, amended by the acts 13-14 Victoria, chapter 126; 2 George V, chapter 114, and 16 George V, chapter 106;

Whereas it is expedient to recast the charter of the said society and to give it more ample powers for the chief purpose of establishing the society on a diocesan basis and of assuring to its members the right to an insurance;

Whereas it is necessary to define the jurisdiction of the new diocesan, regional or local councils, and of the general meeting of the members at a diocesan convention; and

Whereas it is expedient to grant its prayer;

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

1.—GENERAL PROVISIONS

1. The present members of *La Société Saint-Jean-Baptiste de Québec*, and all persons who may hereafter become members, are constituted a corporation under the name of "*La Société Saint-Jean-Baptiste de Québec*".

- Substitution as to powers, etc. **2.** The society hereby constituted is substituted for all legal purposes to the former *La Société Saint-Jean-Baptiste de Québec*, and succeeds to all its property, privileges, powers and obligations. Until the meeting of the first diocesan convention the general council of Quebec shall administer the affairs of the society and the officials now in office shall be continued in their functions.
- Chief seat. **3.** The chief seat of affairs of the society shall be in the city of Quebec. Its official flag shall be the *Carillon Sacré-Cœur*, unless it be changed according to the formalities of section 29 of this charter.
- Society to be diocesan. **4.** The society constituted by this act shall be diocesan and have for object the establishing in the parishes of the diocese of Quebec local councils of a single and same St. Jean Baptiste society, united to the regional councils and to the diocesan council by real uniform ties.
- Admitting of other societies. **5.** Upon a resolution of the diocesan council, the society may admit the St. Jean Baptiste societies, incorporated or not, and any other society of the same nature existing in the diocese of Quebec. The society, acknowledged by the diocesan council, becomes a real homogeneous unit of *La Société Saint-Jean-Baptiste de Québec*. The local council formed upon such admission shall succeed to all the property, privileges, powers and obligations of the former society which is thereupon dissolved.
- Establishing of local councils. **6.** Upon a resolution of the diocesan council, the society may establish a local council in each parish of the diocese of Quebec wherein it is not yet represented, and in each parish hereafter erected in the diocese.
- Powers. **7.** The society shall have all the powers conferred upon civil corporations by the laws of the Province. The directors and members shall not be personally liable for its obligations.
- Objects. **8.** The object of the society is to unite and protect Canadians of French origin and language, or deemed such, practising the Roman Catholic religion, to defend their national interests, to maintain the beliefs,

language and traditions of their ancestors, to found or encourage patriotic, charitable, educational or merely recreational works, to develop parochial works and a parochial spirit.

a. Its object is to increase the influence of French Canadians by uniting into one same diocesan society those among them who wish to work for the well-being of their compatriots.

b. To attain these objects, it proposes:

1. The study of the history of Canada, of the acquired rights and present situation of the French Canadians.

2. The organizing of any enterprises susceptible of contributing to the upraising of the latter and particularly the holding of conventions, propaganda by speech and pen, the organizing of courses and lectures, the publication of works, bulletins and periodicals, the founding of prizes, the granting of diplomas or certificates; establishment of insurance systems and pension funds for the benefit of its members; co-operative organization; establishment of school savings.

9. The society shall have perpetual succession and ^{Additional} may: ^{powers.]}

1. Have a common seal and alter it at will;

2. Appear before the courts;

3. Accept and receive by purchase, gift, will, legacy or otherwise possess moveable and immoveable property; draw the revenues therefrom, lease, sell, exchange, cede, alienate or otherwise dispose of the same; borrow and contract obligations; hypothecate its immoveables, provided that the value of the immoveables possessed at any time by the society as owner shall not exceed one hundred thousand dollars;

4. Collect assessments and contributions from its members;

5. Organize and direct study meetings, councils, conventions, courses and conferences for the furtherance of its object;

6. Affiliate to itself similar societies, associations or corporations; represent them in Canada and be itself affiliated to any society, institution, academy or corporation with which it may deem fit to unite, whether or not such societies, associations or corporations be of the diocese of Quebec;

7. Found and maintain libraries;

8. Publish, edit, sell or otherwise distribute works, bulletins, periodicals and propagandist papers suitable to its intents and objects, or any other books; the whole subject to the provisions of the Education Act;

9. Organize competitions, found prizes, bestow rewards, grant diplomas and certificates, help and support to the extent of their needs and the resources of the society enterprises of a nature to spread a desire for and growth of a national sentiment;

10. Establish systems of insurance and pension funds for the benefit of its members;

11. Establish a patriotic savings bank in schools;

12. Establish, by means of voluntary subscriptions among its members, as many special funds as it may see fit. Such funds shall be administered separately; when they cease to be self-supporting, they shall be liquidated without affecting the civil individuality of the society, and the surplus, if any, shall be paid into the general fund;

13. And, generally, exercise the powers pertaining to ordinary civil corporations, and powers which may aid it to attain its ends or serve in the operating of its means of action and execution of its enterprises.

Power to make by-laws, etc.

10. The present by-laws of the society, not contrary to law, shall be the by-laws of the society until changed or repealed by the two-thirds of the members present at the diocesan convention. The society may, without restricting its general powers of making by-laws, adopt such by-laws, ordinances, rules, and decisions not contrary to law, as it may deem expedient, and modify, amend or repeal them, with respect to the following:

Purpose of such by-laws, etc.

1. the organization, direction and government of the society;

2. the management and administration of its affairs and property;

3. the constitution, organization, powers, functioning and government of the councils of the society and of its conventions;

4. the number, selection, appointment, dismissal, attributes, duties and remuneration of its officers, agents, servants and employees;

5. the classification, admission, rights, resignation, expulsion and assessing of its members;

6. the conditions of affiliation and the privileges and obligations of societies affiliated to the society;

7. the employment of the funds, the creation and collection of the revenues;

8. the adoption, amendment, putting into force and repeal of the by-laws, ordinances, rules and decisions of the society, its councils and its conventions;

9. and, generally, everything connected with the society's objects, its organization, government, functioning, administration, the operating of its means of action and the exercise of its powers.

11. The chaplain-general and assistant chaplain of the society shall be appointed by the Ordinary. They represent the ecclesiastical authority and it involves upon them to give the society the guidance necessary or expedient in all questions relating to belief, morals and Church discipline. The chaplains of the regional and local councils of the society shall enjoy the same prerogatives and attributions.

Appointing, etc., of chaplain-general, etc.

12. The powers granted to the society by this act may be exercised by the general meeting of the members at the time of the diocesan convention or by a committee, board or council, as may be determined by the by-laws themselves.

Exercising of powers.

13. The powers conferred upon the officials and directors of the respective councils of the society shall be those ordinarily conferred upon officials of similar societies and those provided for by the by-laws of the society.

Powers of officials, etc.

14. In the event of the creation of one or several dioceses which would contain within their limits local councils forming part of the present society, such councils shall continue to form part of the said society as long as no similar society has been formed in such new diocese or dioceses.

Local councils.

15. The local and regional councils shall have a corporate existence distinct from the society; they shall enjoy throughout the parish and for parochial purposes entire autonomy and the powers necessary for their objects; but they shall remain subject to the control and supervision of the diocesan council and of the regional

Separate corporate existence.

councils for all that relates to the general interest of the society.

Powers of local councils. The local councils may, with the consent of their board of management, establish and promote parochial works of their choice, and, for such purpose, levy upon their members any additional assessments deemed useful and dispose of the funds derived from such assessments.

Holding of council elections. **16.** The elections of the respective councils of the society shall be held according to the by-laws passed by the convention. Such by-laws, amongst other things, must provide for the appointing of a nomination committee.

Composition. **17.** The society shall comprise a diocesan council, a regional council and a local council.

2.—DIOCESAN COUNCIL

Constitution of diocesan council. **18.** The diocesan council shall consist of the directors elected by the general meeting of the members at a diocesan convention.

Officers. Such directors shall themselves elect their officers.

Diocesan convention and diocesan council. **19.** The diocesan convention shall fix the number of members to compose the diocesan council and the election of one-third of the members of the diocesan council shall be held every year at the diocesan convention, except for the first two years when there shall be a drawing by lot amongst the first members elected. Such members shall be elected as diocesan directors of the society for a term of three years in office. The retiring president shall *ex-officio* be a member of the board of directors.

Vacancy. **20.** Such council shall have the right to name another member to fill a vacancy.

Executive of diocesan council. **21.** The executive of the diocesan council shall consist of a president, vice-president, treasurer and five other directors, with power to transact all the business of the society upon which the diocesan council has decided favourably. The other members of the diocesan council shall constitute, with its executive, the board of directors of the society.

22. Such council shall fix the quorum of its meetings, the place and manner of calling them.

23. The chief attributes of the diocesan council shall be the following:

1. To execute the decisions of the diocesan convention and receive the suggestions and volitions submitted by the convention in order to study them and carry them out if need be;

2. To prepare the programme and order of business for the next diocesan convention and submit to it any resolution expressed by a regional or a local council, a copy whereof certified by the secretary has been received by it one month previous to the meeting of the diocesan convention;

3. To organize and direct a permanent secretariate, uniting agent of the society, appoint at its expense competent and diligent holders of the office and determine their attributes and salaries;

4. To establish new local councils and change or suspend such as no longer meet the society's requirements or are unwilling to comply with the decisions of the diocesan council;

5. To establish regional councils, alter or suspend the jurisdiction of such as seem no longer to meet the society's requirements;

6. To move at the diocesan convention the adoption of new by-laws; to finally interpret and apply the society's by-laws in force;

7. To form the committees of study and inquiry deemed necessary;

8. To propose, at regional councils, the course of action for the current year and suggest plans of a concrete nature;

9. To discuss any subject relating to the welfare or objects of the society;

10. To report its actions to the diocesan convention in a report certified by the secretary and the president.

24. When the diocesan convention is not sitting as a general meeting of the members of the society, the diocesan council shall enjoy the powers of the supreme authority and shall have the privilege of transacting all the affairs of the society, within the limits authorized by the convention.

25. The diocesan council shall have the right to delegate one or more of its powers to a member of the society. A report certified by the secretary shall state the nature and the duration of such delegated power.

Delegating
of powers to
member.

3.—DIOCESAN CONVENTION

26. The diocesan convention shall meet every year, in regular session, at the time and place fixed by the diocesan council and shall continue its sittings until the order of business is exhausted, and it may also sit in special meeting, upon being convened by the diocesan council or upon request of the local councils according to the by-laws.

Meetings of
diocesan con-
vention.

27. The diocesan convention shall consist of the members of the diocesan council, the members of the executive of the regional councils and of the delegates elected by the local councils which have complied with the present by-laws as to the composition of their council and the sending of periodical reports to the diocesan council. The delegates must be members in good standing of the local council which elected them; they shall be appointed at a general or special meeting. The names of such delegates must be forwarded to the secretariate of the society, at least fifteen days before the meeting of the convention.

Constitution
of diocesan
convention.

28. The members of the diocesan and regional council shall be entitled to only one vote. The representation of local councils at a diocesan convention shall be based on the total number of their members three months prior to the date for the holding of the convention.

One vote
only.

29. The diocesan convention shall form itself into committees of a few members to study the chief matters of business of the society submitted for its discussion and the resolutions forwarded by a regional or a local council. The report of the committees shall be communicated to the general meeting which shall decide thereon. The diocesan council may enact that the by-laws designated by it, once adopted in virtue of the above powers, may be amended or repealed only

Forming of
committees.

by the vote of two-thirds of the members present at a meeting of the convention.

4.—REGIONAL COUNCILS

30. A regional council means the aggregate of the local councils established in a contiguous territory, determined by the diocesan council, subject to the jurisdiction of such regional council. Two or three neighbouring counties may be united to form a regional council.

Definition of regional council.

31. The local councils and the regional councils shall have the right to submit propositions, resolutions or by-laws to the diocesan convention, but they must communicate the same in writing to the secretary of the diocesan convention one month prior to the convention.

Submitting of propositions, etc.

32. The regional councils each include the representative of the diocesan council, a chaplain appointed by the Ordinary, and two delegates from each local council under the jurisdiction of such regional council.

Constitution of regional councils.

33. The regional council shall meet at the time and place provided in the by-laws of the society.

Meetings.

34. A president, vice-president, secretary, treasurer and three directors chosen by the general meeting shall compose the executive of the regional council.

Executive.

35. The executive shall have power to transact the current administration of the business upon which the meeting of its delegate members has decided favourably.

Powers of executive.

36. The regional council shall have jurisdiction over everything respecting the welfare and objects of the local councils under its jurisdiction. It enjoys full autonomy throughout the extent of its territory, but shall remain subject to the control and supervision of the diocesan council for everything respecting the general interest of the society.

Jurisdiction of regional council.

37. The resolutions, amendments submitted by the local councils or by a member, must be transmitted in writing to the secretary of the regional council fifteen days before the meeting, to enable the executive to

Transmitting, etc., of resolutions, etc.

study such suggested amendments. They shall not have force of law for the whole society, unless they have been approved by the diocesan council or by the convention, as the case may be.

Member *ex-officio*. **38.** The retiring president of the regional council shall be a member of the executive *ex-officio* if he continues to be a member of the society.

Chief seat. **39.** The chief seat of business of the regional council shall be at the place appointed by the executive of such council and may be changed at will.

Adjudication upon disputes. **40.** In the case of dispute between two or more local councils placed under the jurisdiction of a regional council, the latter shall adjudicate thereon.

5.—LOCAL COUNCILS

Local councils. **41.** The society is divided into parochial groups called local councils, which shall include only members residing in the territory of the same canonical parish.

Designation. **42.** Each local council shall be designated as follows:
Société St. Jean-Baptiste de Québec.....
Parish of.....
Council of.....
(name of regional council of which it forms part)

Government. **43.** The affairs of local councils shall be respectively governed by an executive, composed of the chaplain, a president, a vice-president, a secretary, a treasurer and four directors appointed by the general meeting of the members elected.

Powers restricted. **44.** Local councils shall not be entitled to deal directly with questions of a general nature, or to approve or find fault with any political or like measure. In such case and whenever a general order beyond the boundaries of the parish is in question, the council must suggest its views in the form of a motion sent to the regional council and submitted to the diocesan council to which exclusively belongs the deciding of the expediency of such steps to be taken.

45. The *curé* in charge shall be *de jure* chaplain Chaplain, etc. for the local council. A priest resident in the parish, etc. appointed by the *curé*, shall be assistant chaplain.

46. The local councils have a corporate existence Separate corporate existence. distinct from the society; they shall enjoy throughout the parish and for parochial purposes entire autonomy and the powers necessary for their objects, but shall remain subject to the control and supervision of the diocesan council and of their regional council for all that relates to the general interest of the society.

47. The local councils may:

Powers of local councils.

1. Receive gifts and legacies of all kinds;
2. Levy on their members an assessment approved by the diocesan and regional council;
3. Establish by means of voluntary subscriptions amongst its members as many special funds as they deem expedient. Such funds shall be administered separately and shall be liquidated when they cease to be self-supporting, without affecting the civil existence of the society, and, if there is a balance, it shall be paid into the general fund of the local council.
4. In the case of the dissolution of a local council, its property shall be attributed to the charitable works of the parish, by a committee composed of the parish priest, the president and a third person chosen by the first two.

48. Any dispute between the local council and its Submitting regional council shall be submitted to the jurisdiction of of disputes. the diocesan council which shall give the final decision thereon.

49. The local council shall furnish the diocesan Furnishing council and its own regional council with periodic of reports. reports of its activities in the form determined by such councils.

50. There shall be only one local council in a parish Number restricted. unless the diocesan council permits otherwise.

51. The financial year of the local councils shall end Financial year. one month before the annual elections, the date whereof shall be fixed by the diocesan council.

52. The executive shall be fully empowered to Administration of affairs. transact the administration of the current affairs of the

local council and all other business of the council in favour of which the members have decided.

Chief attributes of local council. **53.** The chief attributes of the local council are the following:

1. To promote national life in the parish and suggest enterprises of a practical nature;
2. To develop such national life on a parochial basis by organizing meetings;
3. To seek the coöperation of the parochial societies, in order to agree with them in laying out a course of national action within the parish;
4. To hold the inquiries deemed necessary and appoint the committees for study deemed necessary for its purposes;
5. To execute the decisions of the diocesan council and of its own regional council.

Member *ex-officio*. **54.** The retiring president shall form part *ex-officio* of the executive of the local council if he continue to be a member.

Establishing of certain local councils. **55.** The diocesan council may establish and designate certain local councils by grouping special classes of members under the direct control of the diocesan council and may fix the assessments and by-laws deemed useful for such councils.

6.—INSURANCE, PENSION FUND

Assurance provisions. **56.** The society may assure to its members, and to the members of affiliated societies under section 9, a right to the appropriate benefits provided for by the by-laws, by means of assessments and by observing the formalities fixed by the diocesan council.

Idem. The society shall be entitled to effect such insurance itself, under the supervision of an actuary appointed by itself, and to create a pension fund for the benefit of the persons above mentioned.

Idem. All the provisions of the Quebec Insurance Act, (Revised Statutes, 1925, chapter 243), respecting mutual benefit societies and pension fund societies, shall apply to the society in so far as they are not incompatible with this act.

57. The diocesan council shall appoint a commission ^{Appointing} of three members to administer, under its control and ^{of commis-} supervision, any sum intended for the pension and ^{sion for pen-} insurance fund, and to keep, for this purpose, a com- ^{sion, etc.,} fund. ^{and} pletely separate bookkeeping system.

58. Any indemnity received from an insurance ^{Indemnities.} shall not be deemed to come from the estate or from the community of property of the deceased member, and the receipt of the amount by the beneficiary shall not constitute an acceptance of the estate or of the community of property existing in his favour.

The advantages granted to the beneficiaries, derived ^{Unseizability} from such insurance, shall not be attachable and shall be ^{etc., of ad-} deemed to be granted as an alimentary allowance. ^{vantages.}

7. — GENERAL PROVISIONS

59. The society shall, annually, in the month of ^{Transmit-} January, or whenever thereunto required, transmit ^{ting of re-} to the Provincial Secretary a statement of the property ^{port.} held by it, the names of its officers and a copy of its rules and by-laws.

60. The act 12 Victoria, chapter 148, and all the ^{Provisions} acts amending same, are replaced by the present ^{replaced.} provisions.

61. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}

