



## CHAPTER 143

### An Act to incorporate The Saint John of Suchawa Bukowinian Greek-Orthodox Church of Lachine

*[Assented to, the 19th of February, 1932]*

**WHEREAS** The Very Reverend Maximillian Antonishin, Preamble.

Ilarion Diakoniuk, John Harrischuk, Stephen Hanuziak, Basil Kokoiaszik, Nicholas Borusuk, Lazarre Bodnariuk, Peter Danychuk, all of the city of Lachine, and George Towstuk, and Basil Forfalo, of Ville St. Pierre, in the Province of Quebec, have, by their petition, represented that they are adherents of the Russian Greek-Orthodox Church; that for the purpose of divine worship according to the tenets of the religion of the said Church, it is expedient and in the interest of the petitioners that they should be incorporated in order that the corporation to be formed may, in its own name, acquire and possess property, moveable and immoveable, and that its clergy be empowered to perform the ceremonies of baptism, marriage and burial and to keep registers and record acts of civil status and certify extracts therefrom and that such baptisms, marriages and burials previously performed be ratified and that it be empowered to do all things that may be connected with or incidental to the purposes of its incorporation.

That the petitioners, together with others of the same faith, have been exercising divine worship according to the tenets of the religion of the said Church at 270 Sixth Avenue, in the city of Lachine, since the 18th of August, 1912, and that during such period the rectors or pastors for the time being have officiated at various acts of civil status without having been duly authorized by law to keep registers of acts of civil status, and that it is in the interest of justice that such acts of civil status be ratified and declared valid;

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

Incorporation.

**1.** The Very Reverend Maximillian Antonishin, Ilarion Diakoniuk, John Harrischuk, Stephen Hanuziak, Basil Kakoiaszik, Nicholas Borusuk, Lazarre Bodnariuk, Peter Danychuk, George Towstuk, and Basil Forfalo and all other persons who may become members are constituted a corporation under the name of "The Saint John of Suchawa Bukowinian Greek-Orthodox Church of Lachine".

Name.

Transfer, etc., of property, etc.

**2.** All property, moveable and immoveable, real and personal, now held in trust for the said corporation whether under the said corporate name or under the name of The Saint John of Suchawa Russian Orthodox Greek Catholic Church of Lachine or the Saint John of Suchawa Orthodox Church of Lachine or under similar name or names, shall be and the same is hereby transferred to and vested in the said corporation.

Payment of debts, etc.

**3.** All debts and liabilities at any time before the coming into force of this act legally contracted by the said The Saint John of Suchawa Russian Orthodox Greek Catholic Church of Lachine or the Saint John of Suchawa Orthodox Church of Lachine or the said body under similar name or names, or by any officers thereof or trustees therefor, are and shall be assumed and be payable by the corporation.

Rights, etc.

**4.** The said corporation shall have and exercise all the rights belonging to ecclesiastical corporations, and shall be subject to all obligations enacted by law.

Power to acquire property, etc.

Proviso.

Power to draw, etc., bills of exchange, etc.

**5.** The said corporation may, for the purpose of its objects, acquire property, moveable and immoveable, and, subject to the provisions of section 17, establish a cemetery, provided that the immoveable property held by it at any one time shall not exceed one hundred thousand dollars, and at any time may sell, lease, exchange, hypothecate or alienate such property or any part thereof; and the said corporation shall have power for the purposes of the said corporation to draw, make, accept and endorse bills of exchange, promissory notes and other negotiable instruments under the hands of its officers or others, as may be determined by the board of trustees.

**6.** The corporation shall be administered by a board of trustees composed of the pastor for the time being of the said church, and of not more than ten nor less than six members of the said corporation, who shall have the same powers and duties, not incompatible with the provisions of this act, as a board of directors of a company incorporated under letters patent, provided, however, that the board shall have power to act only by a majority of its number; and the board of trustees is authorized to appoint a president, a secretary, a treasurer, or a secretary-treasurer and other officers for the said corporation, and to make by-laws for the regulation and government of the said corporation, and for charitable aid, with power to amend and repeal the whole or any part of the said by-laws as the board may deem expedient; provided always that none of such by-laws be inconsistent with this act, or with the laws of this Province, and further provided that the said by-laws, unless ratified at the next annual meeting of the corporation or at some special meeting, held for the purpose, shall, from and after the date of the said meeting, cease to have effect.

**7.** The power to sell, lease, exchange, hypothecate or alienate the property of the corporation may be exercised by a resolution of the trustees subsequently confirmed by a majority of the members of the said corporation present at a meeting duly called in accordance with the by-laws.

**8.** The object for which the corporation is formed, in addition to the powers herein given, is to worship Almighty God according to the faith, doctrines, discipline, usages and forms of the Russian Greek-Orthodox faith.

**9.** The corporation shall have a corporate seal, which shall be used, together with the requisite signatures of its executive officers, to authenticate all official documents.

**10.** As soon as practicable after the coming into force of this act, there shall be held a meeting of the members of the corporation, in the city of Lachine, for the purpose of electing a board of trustees.

**11.** The said meeting may be called by three members by giving a previous notice of at least ten days of the day and hour at which it will be held, by registered letter mailed to the address of the members.

Determina-  
tion of date  
of annual  
meeting.

**12.** The date of the annual meeting of the corporation and the term of office of the trustees and the manner of their re-appointment may be determined by by-laws at the first general meeting, or at any subsequent general meeting called in the manner hereinabove prescribed, or in such other manner as may be prescribed by by-laws of the said corporation.

Keeping of  
registers of  
civil status.

**13.** The said corporation may keep either in French or English, according to law, registers of acts of civil status and the priest doing the parochial or clerical duty in the congregation shall have authority and power to keep registers of acts of civil status and to exercise in relation thereto all other powers appertaining to a minister of a congregation, and, notwithstanding any law to the contrary, in the event of such priest not being a British subject, it shall be lawful for the president and for any member of the said Church as his deputy when duly appointed as such by resolution of the said board of trustees, to keep registers of acts of civil status for the said church, provided that he or his deputy be British subjects, and the prothonotary of the Superior Court or any public officer authorized to certify registers of acts of civil status shall certify registers for use by the said church when furnished with a certificate, signed by the secretary of the said church, of the election of its president and the appointment of his deputy for the aforesaid purpose.

When priest  
not British  
subject.

When regis-  
ter kept by  
president or  
his deputy.

**14.** When any such register is kept by the president of the said corporation or his deputy, as aforesaid, all acts of civil status recorded therein shall be signed by the officiating priest and by the said president or his deputy and any marriage or baptism solemnized and any interment made by the said officiating priest, and so recorded, shall have the same effect at law as if the register had been kept by a priest legally authorized.

Validation  
of mar-  
riages, etc.,  
previously  
performed.

**15.** All marriages and acts of civil status hitherto performed and recorded by the officiating priest of the congregation as heretofore constituted are hereby declared to be as valid as if performed by a priest authorized by law to keep registers of acts of civil status.

Provisions  
safeguarded.

**16.** Nothing in this act shall have the effect of withdrawing the corporation from being governed by the provisions of the charter, by-laws and regulations of any municipality where the said corporation may exercise its powers or by the provisions of the Quebec Public Health Act.

**17.** The corporation shall not establish a cemetery or <sup>Consent for</sup> burial ground within the limits of a municipality without <sup>cemetery.</sup> having previously obtained the consent of the said municipality, expressed by by-law.

All rights, authority and permission for these purposes <sup>Transfer,</sup> already duly granted to the said congregation whether <sup>etc., of</sup> under the names of the Russian Orthodox Church or of <sup>rights, etc.</sup> the Canadian Orthodox Church of St. John of Suchawa or any other similar name or names shall be, and the same are, hereby ratified, transferred to and vested in the said corporation.

**18.** The corporate seat of the corporation shall be in <sup>Corporate</sup> the city of Lachine. <sup>seat.</sup>

**19.** The corporation shall, annually in the month of <sup>Annual</sup> January and whenever required to do so by the Provincial <sup>statement</sup> Secretary, transmit to the Lieutenant-Governor in Council <sup>to Lt.-Gov.</sup> a detailed statement of its immoveable property, a copy of <sup>in Council.</sup> its rules and regulations, and the names of its officers.

**20.** This act shall come into force on the day of its <sup>Coming into</sup> sanction. <sup>force.</sup>

