



CHAPTER 123

An Act to amend the charter of *La Maison Ste. Claire Limitée*

[Assented to, the 4th of April, 1929]

WHEREAS the corporation called *La Maison Ste. Claire Limitée* has, by petition, represented:

That it was incorporated by letters patent, issued by His Honour the Lieutenant-Governor of the Province of Quebec, the Honourable Charles Fitzpatrick, dated the 7th of June, 1919;

That it has made considerable development since;

That, in particular, it has engaged for some time in the work of protecting young workwomen, and intends to group them to complete their religious, intellectual and moral education, and to give them instruction in the French and English languages, in household science, cutting out clothes and commercial knowledge, etc.; that it is sheltering gratuitously, and intends further to shelter for the time being, young girls who have been accidentally deprived of means; that it is the seat of the work of the Third Order of *St. François-d'Assise*, in the diocese of Three Rivers, and that the *Notre Dame des Anges Fraternity* of the Third Order is actually, through its *Discretioire*, the trustee of the shares of the corporation;

That, for the above reasons, the corporation desires that its name be changed from *La Maison Ste. Claire Limitée* to that of *La Fraternité du Tiers-Ordre de St. François-d'Assise du Diocèse des Trois-Rivières*;

That the corporation further desires to obtain more extended powers, and more conformable to the new objects which it intends to carry out;

That for such reasons the corporation prays that its charter be amended so as to grant it such change of name and more extended powers;

Whereas it has prayed for the passing of an act for the above purposes; and

Whereas it is expedient to grant such prayer;

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

Incorporation.

1. Dame Emilia Boisjoli, wife of J. N. Atchez Coutu, merchant, with whom she lives in the city of Three Rivers; Dame Marie Louise Poudrier, wife of François Cayer, weaver, both of the same place, Dame Alida Lemay, wife of Isaac Guillemette, merchant, both of the same place; the Misses Marie Louise Bourque and Annette Désilets, both of the age of majority, of the same place, and such other persons as are or may become members of the said religious order, according to its present or future rules and constitution, are created a corporation under the name: *La Fraternité du Tiers-Ordre de St. François-d'Assise du Diocèse des Trois-Rivières*, with all the rights, powers and privileges of corporations having a spiritual, religious, educational, charitable or benevolent, moral or civil object, with the right to mutually assist their members; the whole under the supervision of the Bishop of Three Rivers.

Interpretation.

2. The word "corporation" shall mean in this act and in future *La Fraternité du Tiers-Ordre de St. François-d'Assise du Diocèse des Trois-Rivières*.

Transfer of property.

3. Every moveable and immoveable property held in trust by the *Maison Ste. Claire Limitée* is hereby transferred to and vested in the said corporation, and the corporation shall have and exercise all the rights belonging to *La Maison Ste. Claire Limitée*, and shall be subject to all obligations contracted by *La Maison Ste. Claire Limitée*.

Administration.

4. Until notification from the regular superior of the Franciscans of the convent of Three Rivers, the corporation shall be administered by a president, vice-president, secretary, treasurer and an administratrix, chosen and appointed to such offices by the regular superior of the *Frères Mineurs*, or Franciscans, of Three Rivers, amongst the members of the *Discrétore* of the *Fraternité Notre-Dame-des-Anges du Tiers-Ordre de St. François* at Three Rivers, elected in accordance with the rules of the Third Order, and such council of administration shall enjoy all the powers of the superior council until the latter is formed.

Idem.

From and after such notification, the corporation shall be administered by a superior council, consisting of a

director-general appointed by the superior of *l'Ordre des Frères Mineurs*, or Franciscans, of Three Rivers, the directors of each incorporated fraternity, and of a delegate from each such fraternity, elected each year by the *Discretioire* of each fraternity; in the event of several fraternities having the same director, the latter shall choose which he wishes to represent, and the other fraternities shall elect a second delegate. The delegates shall elect, from amongst themselves, a president, a vice-president, a secretary, a treasurer and an administrator. The members of the council shall be all of the male sex, and of the Third Order, if they are not priests or in holy orders.

5. Fraternities of nuns shall select their delegates from Choice of among all the priests, religious members or laymen of the delegates. Third Order.

6. The superior council with the assent of the director- Number of general may change the number of delegates for each delegates. fraternity in such proportion as it may deem expedient.

7. The superior council shall have charge of the general Power of temporal interests of the entire Order; it is further em- superior powered to decide finally all temporal questions referred council. to it by the fraternities.

8. In case of conflict of jurisdiction between the superior Superior to council and the fraternities, the superior of the *Frères* decide juris- *Mineurs*, or Franciscans, of Three Rivers, shall decide diction. finally to whom such jurisdiction belongs.

9. The superior council shall have nothing to do with Powers of the finances of the fraternities, except the restriction made superior hereinafter, unless a matter concerning them be referred council. to it by a fraternity; but it may levy an annual or special assessment on each of them for the general cost of administration, expenses of conventions or other expenses of a general nature.

10. The superior council may act by its standing or Idem. select committees, to which it may delegate all, or a portion of its authority.

11. It may make by-laws respecting its elections, com- Idem. mittees, internal government, its own finances, its conventions or other meetings, the number of members required for a quorum at its meetings, and anything connected with its interests, which by-laws shall have force of law for all

its members, provided that they be not inconsistent with this charter, or with the laws of the Province of Quebec. Nevertheless, the superior of the Franciscans of Three Rivers may notify the council in writing of his disapproval of such by-laws, and in such event they shall be null and of no effect from the date of the receipt of such notice.

Election of
first dele-
gates.

12. The first delegates shall be elected at a date fixed by the superior of the Franciscans of the convent of Three Rivers.

Composi-
tion of the
corporation.

13. The corporation shall be divided into separate fraternities of men and women, which fraternities shall be established and organized according to the rule of the Third Order.

Each frater-
nity consti-
tutes a se-
parate cor-
poration.

14. Each fraternity shall constitute a separate corporation, with all the rights, powers and privileges of corporations having a civil, spiritual, religious, moral, educational, charitable and benevolent object, and shall be known under the name of *Tiers-Ordre de St. François-d'Assise, Fraternité de.....* (canonical name of the fraternity) as soon as it shall have obtained the written consent of the superior of the Franciscans at Three Rivers, and of the Bishop of the diocese, until the formation of the superior council, and, after such formation, of the superior council, the superior of the Franciscans of Three Rivers, and the Bishop of the diocese.

Administra-
tion of fra-
ternities.

15. Each fraternity shall be administered by a *Discrétoire* or council elected according to the rule of the Third Order, which *Discrétoire* may make such by-laws as it deems proper for the temporal government of its members and for the fixing of the quorum of its meetings. Nevertheless, such by-laws and any resolutions of the *Discrétoire* of the fraternity may be annulled by the majority of the superior council, provided that such majority include the director-general, the director and delegate of the fraternity which made the by-law or adopted the resolution. In such event, written notice thereof shall be given to such fraternity, and the nullity of the by-law shall date from the receipt of such notice.

Powers of
fraternities.

16. The aforesaid corporations may each, separately, acquire property in any manner, moveable and immoveable, provided that the annual value thereof do not exceed forty-nine thousand nine hundred and ninety-five dollars. They may acquire, lease, alienate, borrow, hypothecate,

act and contract in any manner, provided that they do nothing inconsistent with the rule of the Third Order, and the laws of the Province of Quebec. But no fraternity shall contract debts for more than two hundred dollars without the approval of the superior council and that of the Bishop of the diocese.

17. The aforesaid corporations may found, establish and maintain, or aid to establish and maintain, at any place in this Province, associations, institutions, funds and trusts of a nature to benefit the members of the Third Order or those whom such persons support, or their connections, and any persons whomsoever, particularly young workwomen generally; establish in conformity with the conditions and formalities required by law, and the regulations of the Provincial Bureau of Health, asylums, hospitals and dispensaries which may be useful to the members of the Third Order, and such persons as are connected with them, and to the public generally, particularly to young workwomen; subscribe or guarantee funds for charitable or benevolent purposes, for any exhibition or any public purpose, general or useful. They may erect such buildings as are suitable for their objects in each place. Powers of fraternities.

18. The members of such corporations shall have no personal right or claim whatsoever upon the property of their respective corporations, and shall be in nowise liable for their obligations. Members not personally liable.

19. In all civil matters, the corporation shall be represented by the president and secretary of the superior council, and the minister and secretary of each fraternity, duly authorized by a resolution of the superior council or of the *Discréttoire*, as the case may be, and with the approval of the Bishop of the diocese. Representation of corporation in civil matters.

20. Any fraternity which has been six months without a *Discréttoire* may be declared extinguished by the superior council in agreement with the director-general. Extinction of fraternity.

21. In the event of the extinction of a fraternity, its property shall belong to the superior council, and in the event of the extinction of the superior council, the Bishop of Three Rivers shall dispose of its property as he thinks fit. Effect thereof.

22. The aforesaid corporations may appoint such off- Appoint-

ment of
officers, etc.

cers, procurators or administrators as they deem expedient for the proper administration of their property, and of their affairs generally; such procurators or administrators may be members of the Third Order, or any persons outside of such.

Letters pa-
tent re-
pealed, etc.

23. The letters patent issued on the 7th of June, 1919, by the Lieutenant-Governor, incorporating *La Maison Ste. Claire Limitée*, are repealed, but the things done, the rights acquired, and the obligations incurred in virtue of such letters patent shall continue to subsist, as if the same had not been repealed, and shall be valid insofar as the corporation is concerned, and shall have all the legal effect which similar acts lawfully made would have had.

Ratification
of certain re-
solutions.

24. The following are hereby ratified and confirmed for all legal purposes, to be carried out and executed according to their tenor, namely:

The resolution of the council of the city of Three Rivers, passed at its meeting of the 13th of the month of November, 1928, being an adjournment of its meeting of the 5th of the same month, to the effect:

"That the council exempt *La Maison Ste. Claire Limitée*, its successors or legal representatives, from all taxes, except for water, paving, drainage for streets under control, on the present or future property, as long as its immoveables serve for any of the objects now carried on by it, to wit: social work, and in particular the protection and education of workwomen, dispensaries, works of the Third Order of Saint François, from and after the 1st of January following the sanction of the act to be passed to ratify the present resolution;" and

The resolution of the school commission of Three Rivers, adopted at its regular meeting of the 2nd of December, 1928, to the effect:

"That the school commission exempts *La Maison Ste. Claire Limitée*, and its successors or legal representatives, from all taxes on its present and future property, as long as its immoveables shall serve for one of the objects it now carries on under its immediate management, the supervision and direction of the Reverend *Frères Mineurs* or Franciscans or other religious community approved by the Ordinary of the diocese, to wit: social work, and, in particular, the protection and education of workwomen, dispensaries, works of the Third Order of Saint François, from and after the 1st of January following the sanction of the act to be passed to ratify the present resolution."

25. The corporation shall transmit to the Lieutenant-Annual Governor in Council, annually, in the month of January, ^{statement} and whenever thereunto required, a statement of the prop- ^{to Lt.-Gov.} erty held by the corporation, the names of its officers and ^{in C.} a copy of its rules and by-laws.

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