

c. the immoveables held in the Province may amount to an area of one hundred acres of land;

d. lease, hypothecate, sell, exchange, transfer or otherwise alienate all its moveable or immoveable property, by any title;

e. make by-laws for its internal government and for the administration of its property, and amend or repeal the same if necessary;

f. appoint officers, procurators and administrators, and define their powers.

Signatures
to bind
corporation.

4. The signatures of the superioress or her official delegate residing at Bergerville as well as the general treasurer of the sisters of *Jeanne d'Arc* in this Province, shall bind the corporation in all its affairs.

Corporate
seat.

5. The seat of the corporation shall be at Bergerville, but may be changed at will by by-law regularly adopted by the corporation, provided it be in the Province of Quebec, after a notice published in the *Quebec Official Gazette* and in an English and French newspaper during six months.

Statement
to Prov.
Secy.

6. The corporation shall, every year, transmit to the Provincial-Secretary a statement of its moveable and immoveable property, a list of its members and a copy of its by-laws.

Coming
into force.

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

CHAP. 157

An Act to amend the act respecting the rebuilding of the Chicoutimi cathedral

[Assented to, 19th of March, 1921]

Preamble.

WHEREAS the trustees of the parish of *Saint François Xavier de Chicoutimi* have, by their petition, represented:

That the act 9 George V, chapter 139, ratified a deed of transfer by the *fabrique* of *Saint François-Xavier de Chicoutimi* to the Roman Catholic Episcopal Corporation of Chicoutimi of all the immoveables belonging to the *fabrique*, with the cathedral, the sacristy and presbytery thereon erected, and further ratified a gift of one hundred

and twenty-five thousand dollars by the freeholders of the parish of *Saint-François-Xavier de Chicoutimi* to aid in the rebuilding of the cathedral, which had been burned twice during the space of six years;

That the said act established the method to be followed in the election of three or five trustees charged with,—

a. drawing up an act of assessment for levying the said sum of one hundred and twenty-five thousand dollars and interest thereon;

b. issuing, if the Roman Catholic Episcopal Corporation ask for the same, debentures for the amount, and transferring them to the said Roman Catholic Episcopal Corporation in payment of the gift to it made as aforesaid; and,

c. receiving all instalments on the assessments as they became due, and handing over the amount to the said Roman Catholic Episcopal Corporation, or, in the case of an issue of debentures, using the amount of the same for purchasing an equal amount of the said debentures;

That the election of such trustees was to be confirmed by the commissioners appointed in the diocese of Chicoutimi for the purposes of the first section of chapter first of title ninth of the Revised Statutes, 1909, like all other elections of trustees, and that the act of assessment was to be prepared and homologated in accordance with the provisions of article 4335 of the Revised Statutes, 1909;

That it was lawful for the freeholders in general meeting assembled, in the event of the said assessment and resources of the episcopal corporation being insufficient to build the said cathedral and sacristy, to ask for the imposing of a supplementary assessment for the purpose of levying on their property the amount required for the purpose; and, in such case, the said new act of assessment was to be made in accordance with articles 4344 and following of the Revised Statutes, 1909;

That every act of assessment prepared and homologated according to the provisions of the said act had effect and was valid, notwithstanding any provisions to the contrary in the Revised Statutes, 1909;

That the trustees elected had to add, to the amount of the said assessment which they had to impose, fifteen per cent in addition to cover any deficit, which fifteen per cent was to be allotted, levied and paid like the principal amount;

That the buildings during and after their construction were to be insured against fire or other dangers of destruction, and the insurance policies were to be transferred as a supplementary guarantee of the loans;

That on the 30th of March 1919, at a meeting of the freeholders of the parish of *Saint François-Xavier de Chicoutimi*, Messrs. Elzéar Boivin and Jean Arthur Claveau, of the town of Chicoutimi; P. L. N. Vézina, of *Rivière du Moulin*; Trefflé Simard and Charles Vézina, farmers, of the parish of Chicoutimi, were elected trustees for the carrying out of the act above mentioned;

That by an ordinance dated the 9th of May, 1919, the said commissioners appointed in the diocese of Chicoutimi for the purposes of the first section of chapter first of title ninth of the Revised Statutes, 1909, confirmed the election of the said trustees and allowed them to draw up the act of assessment required by the act 9 George V, chapter 139;

That on the 18th of May, 1919, the freeholders of the said parish of *Saint François-Xavier de Chicoutimi*, finding that the amount above mentioned of one hundred and twenty-five thousand dollars was insufficient to enable the Roman Catholic Episcopal Corporation of Chicoutimi to rebuild the cathedral, granted an additional subsidy of seventy-five thousand dollars, and authorized the trustees of the parish to levy such amount;

That on the 21st of December, 1919, the trustees drew up an act of assessment for the capital of two hundred thousand dollars, (one hundred and twenty-five thousand dollars, voted on the 3rd of February and seventy-five thousand dollars voted on the 18th of May), with, in addition, fifteen per cent according to law, forming a capital sum of two hundred and thirty thousand dollars, bearing interest at six per cent and repayable in thirty annuities of sixteen thousand one hundred and seventy-three dollars and twenty-four cents each, the first instalment being payable on the 15th of July last, 1920;

That the commissioners homologated such act of assessment on the 10th of February, 1920;

That the freeholders of the said parish, at a meeting held on the 15th of February, 1920, decided to levy an amount, in addition to those already mentioned, of one hundred and fifty thousand dollars, to complete the cathedral; that consequently a supplementary act of assessment was drawn up by the trustees on the 21st of May, 1920, for the sum of one hundred and seventy-two thousand five hundred dollars (one hundred and fifty thousand dollars plus the fifteen per cent added under the act), with interest at six per cent per annum, payable in thirty annuities of ten thousand five hundred and forty-seven dollars and twelve cents each, forming a total sum of three hundred and sixteen thousand four hundred and thirteen dollars and eighty-four cents;

That this last act of assessment was homologated by the commissioners on the tenth of July, 1920;

That no opposition was made to the request for the homologation of the two acts of assessment aforesaid;

That in the interval the Roman Catholic Episcopal Corporation of Chicoutimi, by deed before Georges St. Pierre, notary, at Chicoutimi, on the 21st of February, 1920, registered at Chicoutimi on the 6th of May following, under the number 33009, ceded to the parish priest and church wardens of *l'Oeuvre et fabrique* of the parish of *Saint François-Xavier de Chicoutimi*, among other properties, the land on which the cathedral and presbytery of the said parish are erected, as well as such buildings, *l'Oeuvre et fabrique* assuming the debt of the episcopal corporation contracted by it for the building of the presbytery, public hall and church, before the fire, say the sum of two hundred and fifty thousand dollars, and the debt contracted for the work being carried on in connection with the building of the church;

That the said episcopal corporation transferred to *l'Oeuvre et Fabrique* the contributions and subscriptions received or which it might be entitled to receive in connection with the building of a presbytery, public hall and church that was burned;

That such transfer was made and the said conditions accepted with the consent of the freeholders and parishioners, at a meeting held on the 15th of February last;

That notwithstanding such transfer to *l'Oeuvre et Fabrique* of the parish of *Saint-François-Xavier de Chicoutimi*, the trustees began to levy the instalments on the assessments above mentioned, and continued to carry on the work on the cathedral and sacristy;

That doubts may arise as to the legality and validity of the two acts of assessment above mentioned;

That doubts may arise as to the legality of the existence of the trustees aforesaid in consequence of the transfer above mentioned from the Roman Catholic Episcopal Corporation of Chicoutimi to *l'Oeuvre et Fabrique* of the parish of *Saint François-Xavier de Chicoutimi* as to their right of levying the amount of the said act of assessment to carry out the work of reconstruction and to pay the cost thereof, and to contract loans;

That it is necessary that all such doubts be removed;

That it may also be necessary to validate the transfer above mentioned from the Roman Catholic Episcopal Corporation of Chicoutimi to *l'Oeuvre et Fabrique* of the parish of *Saint François-Xavier de Chicoutimi*;

That the trustees pray that they be permitted to contract loans and to revise the acts of assessment every year

instead of every five years, and that they and their successors in office shall have the right to receive the amount of the assessments, notwithstanding the transfer and abandonment made by the episcopal corporation to *l'Oeuvre et Fabrique* of the parish of *Saint François-Xavier de Chicoutimi* and to supervise the work that is being carried on;

That it is also expedient to declare valid for all lawful purposes the payments made to date to the trustees;

That His Lordship, M. T. Labrecque, Bishop of Chicoutimi, the freeholders of the parish of *Saint François Xavier de Chicoutimi* and *l'Oeuvre et Fabrique* of the said parish have approved of this act, which was submitted to them;

And whereas it is expedient to grant their prayer;

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

Deed of sale and transfer ratified. **1.** The deed of sale and transfer from the Roman Catholic Episcopal Corporation of Chicoutimi, to *l'Oeuvre et Fabrique* of the parish of *Saint François-Xavier de Chicoutimi*, before Georges St. Pierre, notary, dated the 21st of February, 1920, and registered at Chicoutimi on the 6th of May following, under the number 33009, is ratified and shall bind the parties subject to the following reservations.

Contributions, etc., to whom payable. **2.** Notwithstanding the clause of the said deed transferring to *l'Oeuvre et Fabrique* of the parish of *Saint François Xavier de Chicoutimi* the contributions and subscriptions received by the episcopal corporation, or which it might have the right to receive, in connection with the building of the presbytery, public hall and the cathedral, such contributions and subscriptions shall in future be payable to the trustees of the parish of *Saint François-Xavier de Chicoutimi*, who shall use them in paying the cost of the building or repaying the amounts of the loans contracted to date or to be contracted.

Election of trustees ratified. **3.** The election of the above named trustees: Messrs. Elzéar Boivin, Jean Arthur Claveau, P. L. N. Vézina, Trefflé Simard and Charles Vézina, dated the 30th of March, 1919, is declared to have been validly and regularly made, and all their acts done in their special capacity from that date are hereby ratified and validated.

Acts of assessment ratified. **4.** The acts of assessment of date the 21st of December, 1919, homologated on the 10th of February, 1920, (for two

hundred and thirty thousand dollars, with interest at the rate of six per cent per annum, payable in thirty annual instalments of sixteen thousand one hundred and seventy-three dollars and twenty-four cents each), and the 21st of May, 1920, homologated on the 10th of July, 1920 (for one hundred and seventy-two thousand five hundred dollars, with interest at the rate of six per cent per annum, payable in thirty annual instalments of ten thousand five hundred and forty-seven dollars and twelve cents each), are validated and ratified.

5. All the payments made to date under the acts of assessment aforesaid, are declared to have been validly made, and the amounts cannot be asked for again by reason of any irregularity in the making of the said rolls of assessment or of any infringement of any of the provisions of the act 9 George V, chapter 139, or by reason of any lack of jurisdiction of the trustees or commissioners.

6. Notwithstanding any provisions to the contrary of the said act 9 George V, chapter 139, or of the deed of transfer above mentioned from the Roman Catholic Episcopal Corporation of Chicoutimi to *l'Oeuvre et Fabrique* of the parish of *Saint François-Xavier de Chicoutimi*, the existence of the corporation of trustees of the parish of *Saint François-Xavier de Chicoutimi*, elected on the 30th of March, 1919, and of their successors elected in accordance with the provisions of chapter first of title ninth of the Revised Statutes, 1909, is hereby recognized, with all the powers and attributes granted trustees by the provisions of the said chapter completed by this act.

7. Notwithstanding any provision to the contrary in article 4351 of the Revised Statutes, 1909, on a resolution of the majority of the trustees adopted at a meeting duly convened, the trustees may borrow, for the purposes of the act of assessment, an amount not exceeding the capital sum or balance thereof to be levied by the acts of assessment.

Such loan or loans must be repaid by annuities including interest and sinking-fund fixed at a rate not above those imposed by the acts of assessment.

The amount of each annuity shall not exceed the amount, in capital, interest and sinking-fund, levied every year under the acts of assessment.

Articles 4352, 4353 and 4354 of the Revised Statutes, 1909, shall apply to the same.

8. The loans contracted to date by the trustees are ratified and validated.

Annual
revision of
acts of
assessment.

9. Notwithstanding any provision to the contrary in article 4336 of the Revised Statutes, 1909, the acts of assessment aforesaid, as well as additional acts of assessment imposed under the provisions of section 10 below, as well as the valuation rolls forming part thereof, shall be revised every year, the trustees complying with the formalities prescribed by article 4335 of the Revised Statutes, 1909. The trustees must, upon the written requisition of at least fifty freeholders, make a new act of assessment every year, instead of a revision, by observing the formalities prescribed by the said article 4335. They may unite and combine in a single act of assessment the two acts of assessment made to date and mentioned in section 4 of this act, or the said two acts and those hereinafter mentioned.

Judge of
Superior
Court to
have
jurisdiction
in certain
case.

The commissioners for the civil erection of parishes, in case more than two of them should be interested, as freeholders or otherwise, in any proceedings submitted to them in connection with this matter, must abstain from acting, and must immediately refer the matter to the judge of the Superior Court for the district, who, any other law to the contrary notwithstanding, shall exercise their rights and powers, and be subject to their obligations.

Interpre-
tation.

10. Nothing in this act or in the act 9 George V, chapter 139, shall be construed as preventing the trustees, with the consent of the freeholders, from imposing additional assessments by complying with articles 4344 and following of the Revised Statutes, 1909.

Authoriza-
tion to
fabrique to
contribute.

11. The *fabrique* of the parish of *Saint François-Xavier de Chicoutimi* is authorized to contribute, so far as its revenue may allow, to the payment, in capital and interest, of the debt contracted by the trustees for the building of the cathedral at Chicoutimi.

Provisions
repealed.

12. Paragraphs *b* and *c* of section 2 of the act 9 George V, chapter 139, are repealed.

Coming
into force.

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