

expedient for its internal government or management of the its property and the carrying out of the purposes for which it is incorporated.

Appointment  
of necessary  
officers, &c.

**14.** The corporation may appoint the necessary officers and may employ and dismiss the necessary servants and may allow reasonable remuneration to such servants.

Responsi-  
bility of di-  
rectors and  
members of  
Hunt,  
limited.

**15.** No director or officer of the corporation, and no member of the association now known as the Montreal Hunt, shall be personally liable for any of the debts of the corporation or of the association, respectively, over and above the sums, if any, which he may owe to the corporation or to the association, and a sum equal to the entrance fee paid by him at the time he became a member of the association.

Certain  
liabilities and  
obligations  
not affected.

**16.** Nothing in this act contained shall diminish or in any way affect the liabilities and obligations of the association now known as the Montreal Hunt.

Coming into  
force.

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

## CHAP. 108

An Act respecting the rebuilding of the cathedral at  
St. Hyacinthe

[Assented to 25th April, 1903]

Preamble.

**WHEREAS** the Roman Catholic episcopal corporation of St. Hyacinthe, represented by its president, *Monseigneur* Maxime Decelles has, by its petition, represented :  
That it has become urgent to rebuild the present cathedral of St. Hyacinthe, serving as a parish church for the Catholics of the parish of St. Hyacinthe-le-Confesseur, which church was built under a special agreement between the bishop of St. Hyacinthe and the freehold inhabitants of the parish of St. Hyacinthe-le-Confesseur, and sanctioned by the Legislature of Quebec by the act 35 Victoria, chapter 34, intituled : " An Act to establish exceptional and special arrangements, in the parish of St. Hyacinthe-le-Confesseur, for the construction of a parish church to become the cathedral of the bishop of St. Hyacinthe ; "

That, under the said act, the said cathedral and parish church has remained at the charge of the parishioners of the parish of St. Hyacinthe-le-Confesseur, like the churches of other parishes ;

That the freehold inhabitants of the parish of St. Hyacinthe-le-Confesseur, by resolution unanimously adopted at a meeting duly held on the 28th December last, (1902), have accepted the offer made by the said episcopal corporation by a pastoral letter addressed, on the 15th December last, (1902), by His Lordship Maxime Decelles, bishop of St. Hyacinthe, to the Catholics of the said parish, to rebuild, in the place and stead of the present cathedral, serving as a parish church, a cathedral church, which shall, like the present church, be used by the parishioners, and be subject to the provisions of the aforesaid statute, 35 Victoria, chapter 34, as amended by the act 47 Victoria, chapter 47.

That, by the arrangements resulting from the acceptance of the said offer, the Roman Catholic episcopal corporation of St. Hyacinthe has undertaken to build and complete a church according to a plan already approved by the chapter of the cathedral of St. Hyacinthe, and to expend in the execution of such works not less than one hundred and twenty-five thousand dollars, in addition to a sum of forty thousand dollars to be paid by the parish of St. Hyacinthe-le-Confesseur, as its contribution towards the cost of the rebuilding of the said church ;

That, by the said resolution, the parishioners of St. Hyacinthe-le-Confesseur, for the purpose of carrying out the said conditions, have requested the said episcopal corporation of St. Hyacinthe to apply to the Legislature of Quebec for an act to give legal effect to such things as in the said agreement derogate from the general law respecting the building of churches or from the said act 35 Victoria, chapter 34, as amended by the act 47 Victoria, chapter 47 ;

Whereas it is now expedient to grant the prayer contained in the petition of the Roman Catholic episcopal corporation of St. Hyacinthe, to sanction the said agreement and to allow its being carried out ;

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

1. Immediately after the passing of this act, seven trustees shall be appointed to preside over the necessary operations for the rebuilding of the cathedral of St. Hyacinthe ; three of them shall be left to the free choice of the diocesan bishop or the administrator of the diocese ; one shall be elected by the Catholic freeholders residing in the municipality of the parish of St. Hyacinthe-le-Confesseur, one by the Catholic freeholders residing in the municipality of the village of St. Joseph ; and the two others by

Appointment  
of trustees to  
rebuild cathe-  
dral provided  
for.

the Catholic freeholders residing in wards 1, 2, 3 and 4 of the city of St. Hyacinthe; the latter shall be elected at a meeting of the freeholders of each of the said municipalities, respectively, duly convened in the usual manner for parochial meetings. The trustees so elected, with the exception of those chosen by the episcopal authorities, shall not only be Catholics and proprietors but must also reside within the limits of the municipality they represent.

Name of trustees who are created a corporation.

**2.** The trustees so appointed and elected shall be known and designated under the name of "The Trustees of the cathedral of St. Hyacinthe," and, under such name, shall constitute a body politic and corporate.

Oath of office.

**3.** The trustees elected and appointed shall take oath before a commissioner of the Superior Court before entering into office, and, at the meeting following their appointment or election, they shall elect one of their number as president, and he shall have the same duties, powers, charges and functions as the president of the trustees appointed in virtue of chapter first of title nine of the Revised Statutes.

President of trustees, &c.

Vacancies among trustees.

**4.** In the event of the resignation, death or permanent absence from the parish of any of the said trustees, appointed by the freeholders, others shall be elected in their place by the majority of the trustees remaining in office, at a regular meeting. The trustees chosen by the episcopal authorities shall, if necessary, be replaced by the bishop or the administrator of the diocese.

Payment by trustees to episcopal corporation of certain sum by instalments.

**5.** The said trustees shall pay, to the Roman Catholic episcopal corporation of St. Hyacinthe, a sum of forty thousand dollars for the contribution of the parish of St. Hyacinthe-le-Confesseur towards the cost of the rebuilding of the said cathedral, in four equal payments of ten thousand dollars each, to be payable as follows, to wit: the first instalment on the 1st January, 1905, and each of the three others on the 1st January in the years 1906, 1907 and 1908, respectively, without interest, until maturity, but with interest at six per cent. after each of such instalments shall have become due.

Instalments how payable

Trustees may borrow to effect payment by issue of debentures and levy assessments to pay amount

**6.** To provide for the payment of the aforesaid sum of forty thousand dollars, the said trustees are authorized to borrow the said amount, which shall be repayable on the conditions and in such manner as they may deem most advantageous, by contract or otherwise, or by issuing debentures with or without annuities; and to levy upon

all the immoveable property belonging to Catholics only, and situate within the limits of the parish of St. Hyacinthe-le-Confesseur, except those exempted by section 7 hereunder, the amount necessary to cover the instalments to be paid to the said episcopal corporation, the amounts borrowed, in virtue of this act, the interest thereon, the cost of drafting, passing and carrying out the present act, the cost of collecting the sums levied, as well as the losses that might arise in the collection of such sums; they shall further collect the amount of the said assessments.

of instalments for certain purposes.

7. The following property shall be exempt from the assessment to be levied by this act, to wit: the present cathedral, the bishop's palace, its dependencies, and the ground on which they are built; the seminary and the ground on which it is built; the novitiate of the Marist Brothers, and the ground on which it is built; all buildings occupied as educational establishments, as well as the ground on which they are built or which may form part of such establishments; the Hotel Dieu and its dependencies and the ground on which they are built; the buildings called Maison Saint Antoine, serving as an hospital and refuge for infirm priests, as well as the ground on which it is built, and L'Ouvroir Saint-Geneviève and the site thereof.

Certain property exempt from assessment for such purposes.

8. It shall also be the charge and duty of the trustees to assist the episcopal corporation in the construction of the said church, by placing at their service their practical business knowledge in the preparation of contracts and the superintendence of the work, in order to secure the execution of the plans in a workman-like manner and according to the prescriptions of the architect; but they shall, in all matters respecting the performance of their duties, act in concert and agreement with the bishop or administrator of the diocese. The plans and specifications of the church, as well as all contracts, shall, before being executed, be approved by the bishop or administrator, and so shall all changes which may be made therein.

Trustees to assist episcopal corporation, &c.

Approval of plans, &c.

9. The trustees shall also have the right and it shall be their duty, if the episcopal corporation calls upon them so to do, to sue the architect, contractors or suppliers of materials for damages resulting from the non-performance or the imperfect execution of the contracts made in connection with the construction of the church.

Architect, &c., in default to be sued by trustees, &c.

10. To determine the share to be contributed by the Roman Catholic freeholders of each of the three municipalities.

Valuation rolls in each municipality

to form basis of assessment. palities composing the parish of St. Hyacinthe-le-Confesseur in the aforesaid sum of forty thousand dollars and other amounts to be levied under the authority of this act, the trustees shall, within one month from their election, take cognizance of the valuation rolls in force in each of the said three municipalities, and, if the said rolls, or any of them cannot in their opinion be used for equitable assessment upon the Catholics of the said three municipalites, draw up one or more valuation rolls, as the case may be, relating to the taxable property of each and every of the said municipalities.

Proviso.

What valuation roll, &c., to contain when drawn up by trustees. **11.** The valuation roll or rolls which the said trustees have the right to make in accordance with the foregoing section shall include a correct tabular statement of the lands and other immoveables situate in each of the said municipalities concerned, with the exception of those exempt from assessment, as set forth in section 7, with the extent and value of each immoveable, with the names of the supposed or real owners thereof.

Deposit of rolls and notice of deposit. **12.** After being drawn up, the said valuation rolls shall remain deposited for fifteen days in the office of the secretary of the trustees or with the *curé* of the parish of St. Hyacinthe-le-Confesseur, and public notice of such deposit shall be given in the manner required for municipal notices in each of the municipalities concerned. Such notice shall set forth the day, the place and the hour at which complaints, if any there be, against the valuation contained in the said roll or rolls, shall be taken into consideration by the said trustees. On the day indicated in the notice, the said trustees shall take into consideration the verbal or written complaints that may be made by any party interested against any valuation contained in the said roll or rolls, hear the parties and their witnesses and take cognizance of all evidence produced. The trustees may, at the meeting itself, correct any wrong valuation, in such manner as may to them appear just and equitable. The roll or rolls so made, examined and corrected, shall at once come into force and shall be the only rolls in force for the purpose of any assessment to be made under the authority of this act.

Contents of notice.

Correction of rolls if necessary after proof, &c.

Coming into force of rolls.

If valuation rolls of municipalities may be used. **13.** If the valuation rolls in force, or any of them, in the three municipalities composing the parish of St. Hyacinthe-le-Confesseur can, in the opinion of the said trustees, serve as a basis for a just and equitable assessment upon the freeholders of the said parish, the trustees shall have the right to obtain from the secretary-treasurers of the

said municipalities, and from the clerk of the city of St. Hyacinthe, certified copies of or extracts from the said rolls, by paying the fee specified in such case.

**14.** The said trustees shall make and draw up an act of assessment, based on the valuation rolls in force, or upon those that they may have prepared under the powers conferred on them by this act. Act of assessment to be drawn up by trustees.

**15.** The act of assessment so drawn up shall come into force after one month, according to the public notice which shall have been given of its deposit, and the sums imposed by the said act of assessment shall be payable at the dates and in the manner indicated therein, notwithstanding any provisions to the contrary contained in article 3408 of the Revised Statutes. Coming into force thereof.

**16.** Notwithstanding the provisions contained in the foregoing sections if, in the six months following the election of trustees, the councils of the three municipalities composing the parish of St. Hyacinthe-le-Confesseur, that is to say : the municipal council of the parish of St. Hyacinthe-le-Confesseur, the municipal council of the village of St. Joseph and the council of the city of St. Hyacinthe, should declare that they wish to undertake themselves the borrowing of the amounts to be paid, levy and collect the necessary assessment by means of a special tax payable during a certain number of years, not to exceed twenty-five, or by any other method of taxation, it shall be lawful for the councils of each of the said municipalities, by a simple resolution duly adopted at one of its regular sessions, to substitute itself to the said trustees in all the rights and powers conferred upon them by this act, both as regards effecting the loan of moneys to be paid to the Roman Catholic episcopal corporation of St. Hyacinthe and the levying and collection of the assessments ; in such case, each municipality shall contribute towards the total amount of expenses incurred for the drafting, passing and execution of this act, proportionately to the amount of the valuation of the taxable property of the Catholics comprised within its limits, and shall pay exclusively the cost of the levying and collection of the assessments imposed within the limits of its territory. Each of the said municipal councils may then act independently of the others with regard to the manner and conditions connected with the loans it may wish to effect, with the method and terms of repayment of the sums borrowed, and the terms and duration of the assessments imposed. If municipalities undertake to collect assessment. Share to be contributed by each municipality.

Loans not to be effected by municipal councils until certain event.

**17.** It shall not, however, be lawful for such municipal councils to undertake themselves to effect a loan of the sums to be paid and to substitute themselves to the said trustees for the purposes mentioned in the foregoing section, so long as the latter have not drawn up and completed the valuation roll or rolls they may be obliged to make under this act, or so long as they have not declared, by a resolution duly adopted, that they accept as a basis of assessment the valuation rolls then in force or any of them.

When councils undertake to effect loans and impose necessary assessments, certain duties of trustees to cease.

**18.** When the councils of the three municipalities undertake as aforesaid to effect the loans of money and to impose the necessary assessments or taxes for the repayment thereof, the trustees shall be relieved from that portion of their duties, but they shall receive from the said municipal authorities the moneys borrowed by them or collected, in order to hand over the same, at the dates of maturity already mentioned, to the Roman Catholic episcopal corporation of St. Hyacinthe; and they shall have the right and it shall be their duty to sue the said municipal corporations if necessary for any sums of money unpaid at maturity.

Duty of trustees to levy assessment, if municipalities do not relieve them.

**19.** If the trustees be not relieved by the combined action of the three municipalities composing the said parish of St. Hyacinthe-le-Confesseur, it shall be their duty to levy the amounts necessary to pay the sum due the episcopal corporation under this act, or to repay the moneys borrowed to pay the said corporation, and they shall, within the first fifteen days of January in each year, make a report of all their operations and render a faithful account of all the receipts and expenses at a meeting of the freehold parishioners duly convened.

Term of office of trustees.

Proceedings on completion of church.

**20.** The trustees shall remain in office so long as the church shall not have been completed, and as the legal assessments, if they themselves have imposed them, are not completely collected and closed. When the church is finished, the bishop shall take possession thereof, and it shall *ipso facto* become his cathedral and at the same time the parish church, still remaining, like the other churches of the diocese, at the charge of the parishioners who shall be obliged to rebuild it in the event of its destruction from any cause whatsoever.

If assessment insufficient.

In case, for any reason whatever, the assessment imposed by the trustees or by the municipal councils, as the case may be, become insufficient to meet the contributory share of one or more municipalities composing the said parish of St. Hyacinthe-le-Confesseur for the payment of

the said sum of forty thousand dollars, the said trustees, or the councils of the said municipalities, as the case may be, may and shall, by observing the same formalities as for the original repartition, make one or more supplementary repartitions sufficient to cover any deficit.

**21.** The new cathedral shall, like that which it is destined to replace, be administered by the Roman Catholic episcopal corporation of St. Hyacinthe, and shall continue to be governed by the provisions of the act 35 Victoria, chapter 34, as amended by the act 47 Victoria, chapter 47.

Administra-  
tion of new  
cathedral.  
Act to apply.

**22.** Every assessment imposed upon any immoveable under this act shall be privileged under the terms of articles 2009 and 2011 of the Civil Code, and shall be recovered before any court of competent jurisdiction.

Privilege and  
recovery of  
assessment.

**23.** The said trustees shall keep a register of their proceedings, and every copy of or extract from such register, certified by their president or secretary, shall be *prima facie* evidence of its contents.

Register of  
proceedings  
to be kept by  
trustees.

**24.** The trustees shall have the right to appoint a secretary to assist them in making the assessment or valuation rolls to be prepared as aforesaid, as well as in the collection of the assessments imposed, and to keep a register of the proceedings and their books of account, and they may give such secretary a reasonable remuneration.

Appointment  
of secretary,  
his duties and  
salary.

**25.** All services of any summons and of any deeds, papers or documents whatsoever, affecting the said trustees, may be made upon their president or, in case of his absence, upon their secretary.

Services upon  
trustees.

**26.** The agreement between Monseigneur Maxime Decelles, bishop of St. Hyacinthe, acting for and in the name of the said episcopal corporation and the freehold parishioners of the parish of St. Hyacinthe-le-Confesseur at a meeting held on the 28th December last, is ratified to all intents and purposes.

Agreement of  
28th Dec.  
1902, ratified.

**27.** If, owing to any change in the site of the proposed cathedral and of additional expense being incurred through such change, the parish of St. Hyacinthe-le-Confesseur, acting by the majority of the freeholders thereof, present at a meeting specially convened and held for that purpose, should agree with the said Roman Catholic episcopal corporation of St. Hyacinthe to contribute an additional amount

If certain  
parish de-  
cides to pay  
further sum,  
duties of  
trustees to  
levy same, &c.



towards the cost of building the said church, the trustees elected and appointed shall levy such additional amount, not, however, exceeding fifteen thousand dollars, on the immoveables belonging to the Roman Catholics of the said parish, in such manner and on such terms and conditions as may be agreed upon in the agreement so entered into. The said trustees and the councils of the municipalities composing the said parish shall, in this respect, have the same powers and be subject to the same duties as are conferred or imposed on them by this act with respect to the levying of the aforesaid sum of forty thousand dollars.

Coming into  
force.

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

### SCHEDULE

At a meeting of the freehold inhabitants of the Roman Catholic parish of St. Hyacinthe-le-Confesseur, county and district of St. Hyacinthe, in the diocese of St. Hyacinthe, convened by notice from the pulpit at the parochial high mass on Sunday, the 21st December instant, and this day, 28th December instant, to consider certain proposals made by His Lordship the bishop of St. Hyacinthe with a view of the rebuilding of the parish church and cathedral, the said meeting being held in the parish church and cathedral on the 28th December, 1902, under the presidency of the *curé* of the parish, at which a great number of freeholders were present, amongst whom were :

Messrs. Eugène St. Jacques, J. Nault, H. Lamoureux, G. H. Turcot, M. D., J. E. Turcot, M. D., L. Duclos, J. P. Basinet, Onésime Frédéric, J. de L. Taché, E. Ostigny, Sam. Casavant, Narcisse Godbout, V. Marceau, Louis Scott, Léon Palardy, O. Daoust, Chas. Lapierre, Marc Dupont, Dr. H. A. Mignault, U. Beaunoyer, Eusèbe Morin, L. G. Bédard, Joseph Massé, Eusèbe Fluette, Joseph Perreault, U. Boucher, Léandre Baron, Adelphe Pepin, J. V. Cabana, J. B. Morin, Emile Bouchard, Joseph Mathieu, Joseph Godbout, J. A. Tellier, E. A. Marchildon, L. A. Beaugard, Pierre Cormier, Edouard Frédette, L. A. Guertin, Henri Bernard, Victor Phaneuf, L. E. Gélinas, Augustin Larivière, Elie Sénécal, Napoléon Soly, Evariste Berthiaume, Louis Gladu, Adélar Gladu, François Fortier, Eug. L. Desautels, Victor Blanchard, Désiré Dumaine, Omer Besse, Valmore Dusseault, G. Daignault, J. R. Dufresne, Toussaint Chagnon, Gustave Chicoine, Etienne Cordeau, Wilfrid Bélanger, G. C. Dessaulles, A. Denis, J. A. Casavant, Pierre Lanoie, Joseph Côté, Pierre Racine, J. G. Godbout, P. Paquet, J. C. Casavant ;

Whereas it has been shown to the general satisfaction that it is urgently necessary to rebuild the present cathedral, serving as a parish church for the use of the parishioners, which has been built in virtue of a special agreement between the bishop of St. Hyacinthe and the parish of St. Hyacinthe-le-Confesseur, and approved by the Legislature of Quebec, under the act 35 Victoria, chapter 34, sanctioned on the twenty-third December, eighteen hundred and seventy-one ;

Whereas, it is established after examination of the agreement between the Roman Catholic episcopal corporation of St. Hyacinthe and the said parish of St. Hyacinthe-le-Confesseur that the church built in virtue of the said agreement of eighteen hundred and seventy-one has remained at the charge of the parishioners like the churches of the other parishes ; and accordingly it is the duty of the latter to rebuild it if necessary ;

1. Considering that the Roman Catholic episcopal corporation of St. Hyacinthe, offers, through His Lordship Maxime Decelles, bishop of St. Hyacinthe, on certain conditions set forth by His Lordship in a pastoral letter, addressed to the parish on the fifteenth December instant, whereof all the parishioners have or have been able to take cognizance, to build, in the place and stead of the cathedral church, now serving as a parish church, a fine cathedral church, which, like the present church, shall be used by the parishioners, subject to the provisions of the act 35 Victoria, chapter 34, as amended by the act 47 Victoria, chapter 47;

2. Considering that the sum of forty thousand dollars asked for by the said episcopal corporation from the said parish of St. Hyacinthe-le-confesseur as its contribution towards the cost of the building of the said cathedral church, is a much smaller sum than that which would have to be expended for rebuilding a parish church of sufficient dimensions for the needs of the population ;

3. Considering that the special and exceptional state of affairs in which the parish of St. Hyacinthe-le-Confesseur is placed, as established by the aforesaid act 35 Victoria, chapter 34, and the administration of the temporal affairs of the present church by the Roman Catholic episcopal corporation of St. Hyacinthe, has hitherto given entire satisfaction to the population ;

It is moved by M. Eugène St. Jacques, physician and mayor of the city of St. Hyacinthe, seconded by Mr. Joseph Nault, registrar, both freehold parishioners :

That the aforesaid offer made by the Roman Catholic episcopal corporation of St. Hyacinthe to rebuild the cathe-

dral, which shall continue to serve as a parish church, be accepted, subject to each and every the conditions hereinafter set forth, and to those mentioned in the pastoral letter of His Lordship the bishop of St. Hyacinthe, dated the 15th December instant, which reads as follows :

1. The Roman Catholic episcopal corporation of the diocese of St. Hyacinthe undertakes, on the conditions hereinafter set forth, to build and complete a church, the plans whereof have been drawn up by Albert Mesnard, architect, of Montreal, and are already adopted by the chapter of the cathedral, and to expend in the execution of such work, not less than one hundred and twenty-five thousand dollars, in addition to the sum to be furnished by you ;

2. Application shall be made to the provincial legislature at its next session for a special act to give legal effect to such things as in the present conditions derogate from the general law governing the building of churches, or the act establishing a special and exceptional state of affairs for the parish of St. Hyacinthe-le-Confesseur, sanctioned on the 23rd December, 1871, (the act 35 Victoria, chapter 34, amended by the act 47 Victoria, chapter 47) ;

3. The parish of St. Hyacinthe-le-Confesseur shall pay to the Roman Catholic episcopal corporation of the diocese of St-Hyacinthe, as its contribution towards the cost of executing the aforesaid plans of the cathedral church, a sum of forty thousand dollars, in four equal payments of ten thousand dollars, to be payable as follows, to wit : the first instalment on the 1st January 1905, and each of the three others on the 1st January in the years 1906, 1907 and 1908, respectively, without interest until maturity, but with interest at six per cent. after each of such instalments shall have become due.

4. The aforesaid sum of forty thousand dollars to be paid as aforesaid, shall be levied, on the immoveable property belonging to the Catholics only and comprised within the limits of the parish of St. Hyacinthe-le Confesseur, except those hereinafter exempted, by the trustees appointed for the construction of the church or by the councils of the three municipalities composing the parish of St. Hyacinthe-le-Confesseur, as hereinafter set forth ;

5. The following property shall be exempt from the assessment to be levied by this act, to wit : the present cathedral, the bishop's palace, its dependencies, and the ground on which they are built ; the seminary and ground on which it is built, the novitiate of the Marist Brothers and the ground on which it is built ; all buildings

occupied as educational establishments, as well as the ground on which they are built or which may form part of such establishments ; the Hotel Dieu and its dependencies and the ground on which they are built ; the building called Maison Saint Antoine, serving as an hospital and refuge for infirm priests, as well as the ground on which it is built, and L'Ouvroir St. Geneviève and the site thereof ;

6. Seven trustees shall be appointed to preside over the necessary operations for the rebuilding of the church, three of whom shall be left to the free choice of the diocesan bishop or the administrator of the diocese ; one shall be elected by the Catholic freeholders residing in the municipality of St. Hyacinthe-le-Confesseur ; one by the Catholic freeholders residing in the municipality of the village of St. Joseph ; and the two others by the Catholic freeholders residing in wards 1, 2, 3 and 4 of the city of St. Hyacinthe ;

7. The trustees so elected, with the exception of those chosen by episcopal authority, shall not only be Catholics, but also reside within the limits of the municipality they represent ;

8. In the event of the resignation, death or permanent absence from the parish of any of the said trustees appointed by the freeholders, others shall be elected in their place by the majority of the trustees remaining in office at a regular meeting. The trustees chosen by the episcopal authorities shall, if necessary, be replaced by the bishop or the administrator of the diocese ;

9. The trustees shall be known and designated under the name of " The trustees of the cathedral of St. Hyacinthe," and under such name shall constitute a body politic and corporate.

It shall be their duty to pay to the Roman Catholic episcopal corporation of St. Hyacinthe the aforesaid sum of forty thousand dollars at the terms of maturity above set forth, and, to that end, they shall be authorized, by an act of the Provincial Legislature, to borrow the said amount, which shall be repayable on the said conditions and in such manner as they may deem most advantageous, by contract or otherwise, or by issuing debentures with or without annuities, and to levy upon all the immoveable property belonging to Catholics only and situate within the limits of the parish of St. Hyacinthe-le-Confesseur, except those exempted by paragraph 5, the amounts necessary to cover the sums borrowed, the interest thereon, the cost of drafting, passing and carrying out of the act of the Legislature, the

cost of collecting the sums levied, as well as the losses that might arise in the collection of such sum ; they shall further collect the amount of the said assessments ;

10. Notwithstanding the provisions contained in the foregoing paragraph, if, in the three months following the election of trustees, the councils of the three municipalities composing the parish of St. Hyacinthe-le-Confesseur declare that they wish to undertake themselves the borrowing of the amount to be paid, to levy and collect the necessary assessments by means of a special tax payable during a certain number of years, it shall be lawful for the mayor and council of each of the municipalities, by a simple resolution duly adopted at one of its regular sessions, to substitute itself to the said trustees in all the rights and powers conferred upon them by the Legislature, both as regards effecting the loan of moneys to be paid to the Roman Catholic episcopal corporation of St. Hyacinthe and for the levying and collection of the assessments, each municipality contributing towards the total amount of expenses occasioned by the present arrangement, proportionately to the amount of the valuation of the taxable property of the Catholics comprised within its limits. Each of the said municipal councils may then act independently of the others with regard to the manner and conditions connected with the loans it may wish to effect, with the method and terms of repayment of the sums borrowed and the term and duration of the assessments imposed ;

11. When the councils of the three municipalities undertake, as aforesaid, to effect the loans of money and to impose the necessary assessment for the repayment thereof, the trustees shall be relieved from that portion of their duties, but they shall receive from the said municipal authorities the moneys borrowed by them in order to hand over the same, at the dates of maturity already mentioned, to the Roman Catholic episcopal corporation, and they shall have the right and it shall be their duty to sue, if necessary, the said municipal corporations for any sums of money unpaid at maturity ;

12. The trustees shall also have the right and it shall be their duty, if the episcopal corporation calls upon them so to do, to sue the architect, contractors or suppliers of materials for damages resulting from the non-execution or the imperfect execution of the contracts made in connection with the construction of the church ;

13. It shall also be the charge and duty of the trustees to assist the episcopal corporation in the construction of the said church, by placing at its service their practical

business knowledge for the preparation of contracts and the superintendence of the work, in order to secure the execution of the plans in a workman-like manner, and according to the prescriptions of the architect, but they shall, in all matters respecting the performance of their duties, act in concert and agreement with the bishop or administrator of the diocese.

The plans and specifications of the church, as well as all contracts, shall, before being executed, be approved by the bishop or administrator as well as any changes which may be made therein ;

14. If the trustees be not relieved by the action of the municipal authorities from the duty of levying the amount necessary to pay the sums due the episcopal corporation, they shall, within the first fifteen days of January in each year, make a report of all their operations and render a faithful account of all the receipts and expenses to the freehold parishioners ;

15. The trustees shall remain in office so long as the church shall not have been completed and as the legal assessments, if they themselves have undertaken to levy and collect them, are not closed.

The bishop shall then take possession thereof and it shall *ipso facto* become his cathedral and, at the same time, the parish church, still remaining, like the other churches of the diocese, at the charge of the parishioners, who shall be obliged to rebuild it in the event of its destruction from any cause whatsoever ;

16. The new cathedral shall, like that which it is destined to replace, be administered by the Roman Catholic episcopal corporation of the diocese of St. Hyacinthe according to the provisions of the act 35 Victoria, chapter 34, as amended by the act 47 Victoria, chapter 47 ;

17. To determine the share to be contributed by each of the three municipalities composing the parish of Saint-Hyacinthe-le-Confesseur in the aforesaid sum of forty thousand dollars, the trustees shall, within one month from their election, take cognizance of the valuation rolls in force in each of the said three municipalities, and, if the said rolls, or any of them cannot, in their opinion, be used for the equitable allotment amongst the Catholics of the said three municipalities, draw up one or more valuation rolls, as the case may be, relating to the taxable property of each and for all the said municipalities ;

18. In preparing the said rolls, the said trustees shall be subject to the provisions of the first paragraph of article 3408 of the Revised Statutes of the Province of Quebec ;

19. Moreover, after being drawn up, such valuation rolls shall remain deposited for fifteen days in the office of the secretary of the trustees or with the *cure* of the parish of St. Hyacinthe-le-Confesseur, and public notice of such deposit shall be given in the manner required for municipal notices in each of the municipalities concerned.

Such notice shall set forth the day, the place and the hour at which complaints, if any there be, against the valuation contained in the said roll or rolls shall be taken into consideration by the said trustees.

On the day indicated in the notices mentioned in the foregoing clause, the said trustees shall take into consideration the verbal or written complaints that may be made by any party interested against any valuation contained in the said roll or rolls and hear the parties and their witnesses and take cognizance of all evidence adduced.

The trustees may, at the meeting itself, correct any wrong valuation, in such manner as may to them appear just and equitable.

Notwithstanding what is contained in paragraph 10, the councils of the three municipalities composing the parish of St. Hyacinthe-le-Confesseur, cannot undertake themselves to effect a loan of the sums to be paid and substitute themselves to the said trustees, so long as the latter have not drawn up and completed the valuation roll or rolls aforesaid ;

20. If the trustees be not relieved from the obligation of themselves levying the assessments necessary to pay such sum of forty thousand dollars by the combined action of the councils of the three municipalities constituting the parish of St. Hyacinthe-le-Confesseur, the said trustees shall draw up an act of assessment based on the valuation rolls in force or upon those which they shall have prepared under the powers conferred upon them as aforesaid.

21. The act of assessment so drawn up shall come into force after one month, according to the public notices which shall have been given of its deposit, and the sums assessed by the said act of assessment shall be payable at the dates and in the manner indicated therein, notwithstanding any provisions to the contrary contained in article 3408 of the Revised Statutes of the Province of Quebec

The motion was then put to the vote and carried unanimously.

The said parishioners of St. Hyacinthe-le-Confesseur, in order to give effect to the present resolution, requested His Lordship the bishop of St. Hyacinthe, to undertake to present as soon as possible to the Legislature of Quebec, a bill, the clauses and provisions whereof shall be

in accordance with the above conditions and suggestions, subject, however, to such modifications and changes as may be made by the said Legislature ; the said bill to contain also all the details necessary for the proper execution thereof.

DONE AND PASSED, in the cathedral church of St. Hyacinthe, on the day and in the year above mentioned.

All the parishioners whose names follow, have signed the present *procès-verbal*.

*Signed* : Eugène St-Jacques, J. Nault, H. Lamoureux, G. H. Turcot, M. D., L. Duclos, J. P. Basinet, Onésime Frédéric, J. de L. Taché, E. Ostigny, Sam. Casavant, Narcisse Godbout, V. Marceau, Louis Scott, Léon Palardy, O. Daoust, Chas. Lapierre, Marc Dupont, Dr. H. A. Mignault, U. Beaunoyer, Eusèbe Morin, L. G. Bédard, Joseph Massé, Eusèbe Fluette, Joseph Perreault, U. Boucher, Léandre Baron, Adelphe Pepin, J. V. Cabana, J. B. Morin, Emile Bouchard, Joseph Mathieu, Joseph Godbout, J. A. Tellier, E. A. Marchildon, L. A. Beauregard, Pierre Cormier, Edouard Frédette, L. A. Guertin, Henri Bernard, Victor Phaneuf, L. E. Gélinas, Augustin Larivière, Elie Sénécal, Napoléon Soly, Evariste Berthiaume, Louis Gladu, Adélar Gladu, François Fortier, Eug. L. Désautels, Victor Blanchard, Désiré Dumaine, Omer Besse, Valmore Dussault, G. Daignault, J. R. Dufresne, Toussaint Chagnon, Gustave Chicoine, Etienne Cordeau, Wilfrid Bélanger, G. C. Desaulles, A. Denis, J. A. Casavant, Pierre Lanois, Joseph Côté, Pierre Racine, J. G. Godbout, P. Paquet, J. C. Casavant, Joseph Chenette, F. Chartier, Frs. Gervais, Théodule St-Jean, J. O. Guertin, Alphonse St-Onge, Frs. Langelier, Joseph Ouellette, V. Robitaille, Olivier Chalifoux, S. Carreau, Napoléon Godbout, F. X. Robert, A. Gladu, M. Cadorette, Joseph Gladu, Hormisdas Chagnon, David Désautels, Léonard Beaudry, Isidore Fontaine, Edmond G. Boisseau, L. P. Morin, Ed. Dufresne, P. Fisette, M. E. Plamondon, Louis Rivet, Zéphir Phaneuf, Amédée Rainville, Alex. Daudelin, fils, Camille Lussier, Osias Chenette, Ephrem Scott, W. Lapierre, Ephrem Scott, fils, Joseph Brouillard, François-Xavier Pion, Nephtali Lagassé, Joseph Perreault, Pierre Choinière, Cyprien Gladu, Arthur Lagassé, Louis Demers, Augustin Bourque, fils, Ferdinand Bourque, Adélar Mongeau, fils, Joseph Allaire, Amable Trempe, Joseph Lemay, Jacques Bourdeau, George Colpron, Eusèbe Bourgeois, Théophile Bergeron, Ulric Malo, Stanislas Barbeau, François Bergeron, Michel Hamel, Joseph Sorel, Hercule Chaput, Misaël Desprès, J. E. Turcot, M. D.

(Signed) L. A. SENÉCAL,

*Priest, curé.*



True copy of the proceedings and resolution contained in the authentic register of the acts, deliberations and proceedings of the parish of St. Hyacinthe-le-Confesseur, whereof I am the custodian in my capacity of *curé* of the said parish.

L. A. SENÉCAL,  
*Priest, curé.*

St. Hyacinthe, 5th February, 1903.

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## CHAP. 109

An Act to ratify and confirm a certain deed of transfer by *l'Œuvre et Fabrique* of the parish of Sainte Marie Magdeleine, du Cap de la Magdeleine, to *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*.

[Assented to 25th April, 1903]

### Preamble.

WHEREAS *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, a body politic and corporate, have, by their petition, represented that the Reverend Mr. Louis Eugène Duguay, *curé*, of the parish of Sainte Marie Magdeleine du Cap de la Magdeleine, acting for the *curé* and churchwardens of *l'œuvre et fabrique* of the said parish, duly authorized to that effect by a resolution of the said *curé* and churchwardens, approved by his Lordship the bishop of Three Rivers and by the past and present churchwardens and freehold inhabitants of the said parish, and with the authorization of His Holiness, Pope Leo XIII, has, by a certain deed of transfer, dated the 6th of May, 1902, transferred to *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, therein represented by the Reverend Father J. Jodoin thereunto duly authorized, the usufruct and temporal administration of the property of *l'œuvre et fabrique* of the said parish, for that purpose substituting them in and to all the rights, privileges and obligations of the said *œuvre et fabrique*, respecting the administration of the said property for the whole period of time that such congregation shall have charge of the spiritual administration of the parish ;

Whereas doubts have arisen as to the validity of the said deed of transfer ;

Whereas the parties to the said deed have, by their petition, prayed for an act to ratify and confirm the said deed ;