

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.

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 ;

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

1. The deed of transfer, passed on the sixth day of May, one thousand, nine hundred and two, at Montreal, before Mtre Léandre Bélanger, notary, between the Reverend Mr. Louis Eugène Duguay, acting as set forth in the preamble to this act, and *Les Reverends Pères Oblats de l'Immaculée Conception de Marie*, represented as aforesaid, is ratified and declared valid to all interests and purposes.

Certain deed of transfer of 6th May, 1902, ratified and declared valid.

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

Coming into force.

In the year one thousand, nine hundred and two, on the sixth day of May, before Mtre. LÉANDRE BÉLANGER, the undersigned notary public for the Province of Quebec, residing and practising in the city of Montreal,

CAME AND APPEARED :

THE CURÉ AND CHURCH-WARDENS OF L'ŒUVRE ET FABRIQUE OF THE PARISH OF SAINTE MARIE MAGDELEINE, of Cap de la Magdeleine, in the county of Champlain, district of Three Rivers, erected by edict of the 3rd March, 1722, acting and represented by the Reverend Mr. Louis Eugène Duguay, *curé* of the said parish ; the latter and the *curé* and church-wardens of *l'œuvre et fabrique* of the said parish being respectively duly authorized for the purposes of these presents, as appears by the minutes of the meeting of the church-wardens, both past and present, and of the freehold inhabitants of the said parish, held in the said parish on the fourth day of May instant, (1902), seen and approved on the same day (4th May, 1902), by his Lordship the Bishop of Three Rivers ; a copy of the said minutes, with the aforesaid approval of his Lordship the Bishop of Three Rivers, remains attached to the original hereof, after having been acknowledged by the Reverend Mr. Duguay and mention thereof is made thereon, signed by the Reverend Mr. Duguay and the undersigned notary.

Who after having obtained :

1. The authorization, as aforesaid, of the past and present churchwardens and of the freehold inhabitants of the said parish ;

2. The authorization also as aforesaid of the Ordinary ;
3. The authorization of Pope Leo XIII ;

And in accordance with an arrangement between His Lordship the Bishop of Three Rivers and the Reverend Father Augier, superior-general of *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, hereinafter named, a duplicate whereof is annexed to these presents, after having been certified by the parties and mention thereof made thereon signed by the parties and the undersigned notary ;

Have, by these presents, transferred to *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, a body politic and corporate duly incorporated by the statute of Canada of 1849, chapter 141, the statute of Quebec, 1875, 38 Victoria, chapter 51, first session, the statute of Quebec, 1888, chapter 52, having their principal establishment in the city of Montreal, at number 107 Visitation street, acting and represented by the Reverend Father J. Jodoin, president ; the said corporation and the Reverend Father J. Jodoin, being respectively duly authorized, for the purposes hereof by a resolution of the council of the said corporation, adopted at a meeting held yesterday, the fifth day of May instant (1902), a copy whereof has remained annexed to the original of these presents, after having been certified by the Reverend Father J. Jodoin and mention thereof made thereon, signed by the latter and the undersigned notary :

The usufruct and temporal administration of the property of the said *œuvre et fabrique* of the said parish of Ste. Marie Magdeleine, du Cap de la Magdeleine, and, for that purpose, the said corporation of *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, shall be substituted in and to all the rights, privileges and obligations of *l'œuvre et fabrique* of the said parish of Ste. Marie-Magdeleine, du Cap de la Magdeleine, with respect to the administration of the property and the affairs of the latter, for the whole period during which the said corporation, the assignee, shall have charge of the spiritual administration of the said parish ; the assets of *l'œuvre et fabrique* of the said parish assigned to the Reverend *Oblats* in virtue of these presents and the liabilities of *l'œuvre et fabrique* of the said parish, whereof the *Pères Oblats* assume the payment, also in virtue of these presents, are set forth more especially in the statement of account of *l'œuvre et fabrique* of the said parish for the year ending the thirty-first day of December last (1901), approved by the past and present churchwardens and the freehold inhabitants of the said parish, at a meeting held on the nineteenth day of January last, (1902), as appears by the minutes of the said meeting,

a copy whereof, as well as of the accounts annexed thereto, are annexed to the original of these presents after having been certified by the Reverend Mr. Duguay, and mention thereof made thereon, signed by the latter and the undersigned notary ; the liabilities shown in the said statement amounting to the sum of twenty-four thousand, eight hundred and seventy-six dollars and three cents (\$24,876.03), are specially set forth on four sheets annexed to the original of these presents, marked with the letters A, B, C and D, remaining annexed to the original of these presents, after having been certified on the back of sheet D, and mention thereof being made thereon, signed by the Reverend Mr. Duguay and the undersigned notary.

The present transfer is so made on the charges, clauses and conditions set forth in the documents remaining annexed to the original of these presents, but it is especially agreed that the last eight instalments of the assessment, voted at a parish meeting held on the 16th January, 1898, homologated by the civil commissioners on the first day March following, shall not be comprised in the assets of *l'œuvre et fabrique* of the said parish, remission thereof being made to the parishioners liable for the payment of the said last eight instalments of the said assessment.

The parties declare that the lands belonging to *l'œuvre et fabrique* of the said parish, transferred in usufruct by these presents to the Reverend *Pères Oblats*, on which are erected the church, sacristy, presbytery and other dependencies of the said parish and on which is also the cemetery, are known and designated under the numbers one hundred and twenty, (120), one hundred and twenty-one, (121), one hundred and twenty-nine, (129), and one hundred and thirty, (130), on the official plan and book of reference of the said parish of Sainte Marie Magdeleine du Cap de la Magdeleine, in the county of Champlain.

A wood lot situated on the banks of the river St. Maurice in the said parish, containing about twenty arpents, also belongs to the said *œuvre et fabrique* and was acquired by the Reverend Luc Désilets, priest, from the county council of Champlain, by deed of the 30th September, 1885, registered at Champlain on the 30th September, 1885, under the number 24,140, Reg. B., Vol. 34, p. 852, and bequeathed by him to the said *fabrique* on the 30th August, 1888 ; the said wood lot is one half of lot number four hundred and nine (409) of the said parish.

Whereof acte under the number thirteen thousand, one hundred and fifty-two.

DONE AND PASSED, at the city of Montreal, at number 107 Visitation street, in the office of the said corporation

of *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*.

And the parties have signed with us, notary, these presents first duly read.

(Signed) L. E. DUGUAY, priest,
 J. JODOIN, O.M.I., proc.
 L. BELANGER, N. P.

True copy of the original hereof remaining of record in my office.

L. BELANGER, N. P.

In the year one thousand, nine hundred and two, on the fourth day of May, at a meeting of the past and present churchwardens and of the freehold inhabitants of the parish of Sainte Marie Magdeleine, du Cap de la Magdeleine, in the county of Champlain, in the district of Three Rivers, in the Province of Quebec, Canada, convened by notice given from the pulpit at the parochial mass of the said parish on two consecutive Sundays, in the usual manner, and on that day announced by the ringing of the bell,—

To take into consideration the substitution of the congregation of *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, a body politic and corporate, in the place and stead of *l'œuvre et fabrique* of this parish.

The following persons assembled after divine service in the morning, in the sacristy of the parish church of the said parish, and were present, namely : the Reverend Louis Eugène Duguay, *curé* of the said parish, Messrs. Hercule Vaillancourt, churchwarden in office, Louis Courteau and Adolphe Lacroix, churchwardens in office, the Honorable Hyppolite Montplaisir, senator of the Dominion of Canada, Messrs. Joseph Cadotte, Adolphe Montplaisir, Joseph Montplaisir, Alfred Montplaisir, Olivier Toupin, Louis Lottinville, Zénobe Toupin, Joseph Toupin, Narcisse Beaumier, Pascal Montplaisir, Ferdinand Montplaisir, Denis Caron, Pierre Beaumier, Isaïe Rocheleau, Joseph Longval, Nazaire Dorval, Thomas Rochefort, Alexis Toupin, past churchwardens, Edouard Lottinville, Elzear Arcand, Flavien Roy, Olivier Arcand, Octave Beaumier, Théophile Loranger, Léopold Montplaisir, Thomas Caron, Olivier Dumas, Jean Lacourse, Onésime Brière, Onésime St. Pierre, George Loranger, Adolphe Montplaisir, Alfred Lacroix, Alfred Loranger, and many other persons of note and freeholders of the said parish.

After a prayer to the Holy Ghost, the Reverend Louis Eugène Duguay, *curé* of the said parish, acting as chairman, explained the object of the present meeting, and the said meeting was opened in accordance with the notice given as follows :

The chairman read the instructions he had received from his Lordship Monseigneur François-Xavier Cloutier, Bishop of Three Rivers, and in consequence of the above, it was moved by Mr. Hercule Vaillancourt, churchwarden in office, seconded by Louis Courteau and Adolphe Lacroix, churchwardens in office :

Whereas, in virtue of an agreement between his Lordship the bishop of Three Rivers, and the congregation of *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, the said bishop of Three Rivers confides forever to the said congregation of the Reverend *Pères Oblats*, the Roman Catholic parish of Sainte Marie Magdeleine, du Cap de la Magdeleine ;

Whereas the said parish remains subject to the jurisdiction of the Roman Catholic bishop of Three Rivers, who retains all his rights over the same as over all the parishes of his diocese, in accordance with canonical law and approved discipline ;

Whereas the congregation of the said *Pères Oblats* undertakes to provide forever for the said parish the religious buildings necessary for the religious administration thereof, if the parishioners consent to abandon the exclusive administration of the temporal affairs of their parish and to substitute the congregation of the said *Pères Oblats* in and to all the rights and privileges of *l'œuvre et fabrique* of their parish ;

Be it resolved :

I. That the parishioners of Sainte Marie Magdeleine, du Cap de la Magdeleine, transfer to the congregation of the said *Pères Oblats de l'Immaculée Conception de Marie*, the usufruct and administration of the property of their *fabrique*, and substitute it in and to all their rights, privileges and obligations, for the whole period during which the said congregation shall have the spiritual administration of their parish, on the following conditions, namely :

1. The said *Pères Oblats* bind themselves to pay all the present debts of the said *œuvre et fabrique*, and to relieve the parishioners from the liability of paying the last eight instalments of the assessment voted at a parish meeting, on the sixteenth day of the month of January, one thousand, eight hundred and ninety-eight, and homologated by the civil commissioners on the first day of March of the same year :

2. The said congregation shall be bound, throughout the whole period during which it shall have charge of the spiritual administration of the parish, to provide the said parish of Sainte Marie Magdeleine, du Cap de la Magdeleine, with all the religious buildings necessary for the spiritual administration thereof, in order that all may be in satisfactory condition for the parishioners and pilgrims; nevertheless the Fathers do not undertake to do more than the resources of the parish and the pilgrimage permit;

3. The engagements which shall be hereafter contracted, in connection with divine worship and the building, repairing and furnishing of the church, shall be solely at the charge of the said *Pères Oblats*;

4. On payment of tithes and other ordinary dues fixed by the Ordinary, the Fathers shall perform all the duties of the *curé* as regards the parishioners;

5. The regulations respecting the pews and the tariff therefor shall remain under the control of the Ordinary.

Be it resolved:

II. That the Reverend Louis Eugène Duguay, *curé* of the said parish, be authorized to sign the deed of transfer to the congregation of the said *Reverend Pères Oblats de l'Immaculée Conception de Marie*, on the conditions above set forth.

Carried unanimously.

DONE AND PASSED, on the day and in the year and at the place above indicated, and all the persons present, having been called upon to sign the present *procès-verbal*, those whose names follow signed with us, after the above had been duly read to them.

(Signed)

GEORGE E. LORANGER,
DAVID GODIN,
ALPHONSE MASSICOTTE,
THOMAS ROCHEFORT,
WILBROD SAUVAGEAU,
ALPHONSE SAUVAGEAU,
J. ALCIDE BEAUMIER,
H. MONTPLAISIR,
LOUIS ROCHEFORT,
HERCULE BEAUMIER,
L. E. DUGUAY, *curé*.

Examined and approved this fourth May, 1902.

(Signed) † F. X. Bishop of Three Rivers.

True copy of the original remaining of record in the archives of the parish of Sainte Marie Magdeleine du Cap.

(Signed) L. E. DUGUAY, *curé*.

4 May, 1902.

Certified a true copy, and annexed to a deed of transfer by the *curé* and churchwardens of *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*, in accordance with the mention therein made, this sixth day of May, one thousand, nine hundred and two.

(Signed), L. E. DUGUAY, Priest,
J. JODOIN, O. M. I., Proc.,
L. BÉLANGER, N. P.

True copy,

L. BÉLANGER, N. P.

DRAFT OF AN AGREEMENT between his Lordship the Bishop of Three Rivers and the *Congrégation des Missionnaires Oblats de Marie Immaculée*.

ARTICLE 1

His Lordship the Bishop of Three-Rivers confides forever to the *Congrégation des Oblats de Marie Immaculée*, the parish of Sainte-Magdeleine du Cap and the pilgrimage of Notre-Dame du Rosaire, as it exists in the said parish.

ARTICLE 2

His Lordship the Bishop of Three Rivers retains all the rights of the Ordinary over the said parish, as over all the other parishes of his diocese, in accordance with canonical law and approved discipline.

ARTICLE 3

The said lord bishop shall not be responsible for any debt contracted by *Les Pères Oblats de Marie Immaculée*, in the administration of the said parish and of the said pilgrimage.

ARTICLE 4

The said bishop shall have the right to order collections and to collect from the revenues of the parish church, or from the offerings of the faithful of the said parish what he is entitled to and what is and shall be authorized in virtue of pontifical indults, to be collected in all the parishes of his diocese.

ARTICLE 5

The said bishop shall obtain from interested parties and from the Provincial Legislature, the extinction of the council of *l'œuvre et fabrique* of the said parish, and the substitution instead thereof of *Les Pères Oblats de l'Immaculée Conception de Marie*, a body politic and corporate; the said *Pères Oblats* obliging themselves to provide the said parish forever with the religious buildings necessary for the spiritual administration thereof and for that of the pilgrimage, in such manner that the parishioners, on the one hand, and the pilgrims on the other shall be satisfied.

ARTICLE 6

The congregation of *Les Oblats de Marie Immaculée* assumes the obligation of the spiritual administration, forever, of the said parish and also of the said pilgrimage by one or more of its priests, according to the needs and means thereof.

ARTICLE 7

The congregation of *Les Oblats de Marie Immaculée* shall alone have the administration of the revenues of the parish church, of the pilgrimage, of the offerings of the faithful, whereof it shall dispose with full freedom, for the use of the parish and of the pilgrimage, except as stipulated in article 4.

ARTICLE 8

The said congregation, by its superior-general or by the provincial of Canada, shall present to the Bishop of Three Rivers the priests selected from amongst its members to have the spiritual charge of the said parish and pilgrimage, and one of them shall be accepted as rector or superior; the said congregation by this document reserving the right to withdraw them whenever it thinks proper, without any of them claiming the right to remain there as rector, superior or vicar under any pretext whatsoever, or for any reason that may be alleged.

ARTICLE 9

The said Bishop of Three Rivers shall confer upon the priests, so appointed by their religious superiors and accepted by him, the necessary jurisdiction for the performance of their duties.

ARTICLE 10

Inasmuch as the said *Pères Oblats* have to perform all the duties devolving upon *curés*, vicars, or persons having spiritual administration in the diocese, they shall likewise enjoy, under the authority of their religious superior, all the rights and advantages conferred upon *curés*, vicars, or persons having charge of the spiritual administration of the other parishes of the diocese

ARTICLE 11

The Bishop of Three Rivers, for himself and his successors, undertakes not to divide the said parish without the consent of the superiors of the said congregation, so long as the population has not increased sufficiently to give, after leaving the said *Pères Oblats* a Catholic population of 10,000 souls, a number sufficient to form a new parish. If, however, even before the population has increased to such extent, some industrial or other sufficiently considerable centre should be formed on the territory of the said parish, at a sufficient distance from the present church to make another church or division of the parish necessary, the bishop reserves in this respect his rights and those of his successors, in such manner, however, that the limits of the parish or parishes so formed shall be at least twenty-one arpents or thereabouts from the present church.

ARTICLE 12

The said lord bishop further undertakes in the above manner and on the same conditions, with the consent of the said superiors, never to authorize the establishment of any religious community of men or of women in the said parish, nor the opening of any public chapel, with the same exceptions as in the case of the previous article.

(Signed) † F. X., Bishop of Three Rivers.

“ C. AUGIER. V. G.

Certified a true copy, and annexed to a deed of transfer by the *curé* and church-wardens of *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*, in accordance with the mention therein made, this sixth day of May, one thousand, nine hundred and two.

(Signed) L. E. DUGUAY, Priest.

J. JODOIN, O.M.I., Proc.

L. BÉLANGER, N.P.

True copy,

L. BÉLANGER, N.P.

At a meeting of the council of the congregation of *Les Révérends Pères Oblats de l'Immaculée Conception de Marie*, a body politic and corporate, held at Montreal on the 5th May, 1902, at which were present the Reverend Fathers Joseph Jodoin, president, Nasaire Servule Dozois and Hormisdas Legault, members of the said corporation, constituting a quorum, it was resolved that the Reverend Father J. Jodoin be and he is hereby authorized to sign the contract between the parish of Sainte Marie Magdeleine, du Cap de la Magdeleine, for the purpose of substituting the said congregation of *Les Pères Oblats de l'Immaculée Conception de Marie*, to the *fabrique* of the said parish of Sainte Marie Magdeleine, du Cap de la Magdeleine, for the administration of the property of the said *fabrique* and the employment of the said property, to oblige the said corporation to pay the debts of the said *fabrique*, and to enter into all stipulations and agreements with the said *fabrique* authorized by an agreement between his Lordship the Bishop of Three Rivers and the Reverend Father Augier, by the *procès-verbal* adopted by the past and present church-wardens and the freehold inhabitants of the said parish at their meeting held yesterday, the fourth day of May instant and all other agreements he may deem expedient.

DONE AT MONTREAL, this fifth May, one thousand, nine hundred and two.

(Signed) J. JODOIN, O.M.I., Proc.

N. S. DOZOIS, O.M.I.

HOR. LEGAULT, O.M.I.

Certified a true copy, and annexed to a deed of transfer by the *curé* and churchwardens of *l'œuvre et fabrique* of the parish of Saint Marie Magdeleine, du Cap de la Magdeleine, to *Les Reverends Pères Oblats de l'Immaculée Conception de Marie*, in accordance with the mention therein made, this sixth day of May, one thousand, nine hundred and two.

(Signed) J. JODOIN, O.M.I., Proc.

L. BÉLANGER, N.P.

True copy,

L. BÉLANGER, N.P.

CHAP. 110

An Act to civilly erect the parish of L'Annonciation, to permit the renewal of an act of assessment and to provide for the future government of the said parish

[Assented to 25th April, 1903]

WHEREAS the *curé* and leading Roman Catholic free-holders of the canonical parish of L'Annonciation, in the county of Labelle, have, by petition, represented : Preamble.

That, on the 16th of January, 1903, His Grace, *Monsieur* Joseph Thomas Duhamel, archbishop of Ottawa, canonically erected as a cure and parish, under the name of L'Annonciation, those portions of the townships of Marchand and Loranger hereinafter described and bounded as follows : on the north-west by the township of Turgeon ; on the north-east partly by the township of Mousseau and partly by the township of Lynch, as far as range G of the township of Marchand, inclusively ; on the east by the line dividing range G from range C, then in a south-easterly direction by the line dividing range B from range C, as far as lot No. 35 of range B, inclusively, range C, being excluded from said limits ; then in a south-westerly direction by the line dividing lots 35 and 34 in ranges B and A, as far as the line dividing range A from the range north-east of the Rouge river ; then following that line in a south-easterly direction as far as the line between lots 20 and 19 of the range north-east of the Rouge river ; then following the said line between lots 20 and 19 of the range north-east of the Rouge river as far as Rouge river ; then following the Rouge river as far as lot number 11, inclusively, of the range south-west of the Rouge river ; then following the line separating the points of lots numbers 11, 12,