

payers who are proprietors of real estate in the several municipalities, according to the procedure in such cases laid down in the general statutes governing the municipalities. Article 481 of the Municipal Code shall apply to all of these by-laws, but it shall not be necessary to obtain the approval of the Lieutenant-Governor in Council.

each and to be submitted to rate-payers.

M. C., 481, to apply.

**20.** After the said bridge is opened to the public and while it remains open as a toll-bridge, no person or company shall maintain any other toll-bridge, nor operate any ferry for hire across the St. Francis river within a distance of one mile of the said bridge. Any person contravening this section shall incur a penalty of ten dollars for every day such contravention lasts. These penalties shall be collected and applied as provided in section 14 of this act.

When bridge is open, no other toll-bridge or ferry over St. Francis, &c.

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

Coming into force.

## CHAP. 92

### An Act respecting the cemetery of Notre-Dame des Neiges

[Assented to 26th March, 1902]

**WHEREAS** the *curé* and church wardens of *Vœuvre et fabrique* of the parish of *Notre-Dame de Montréal*, have presented a petition to the Legislature, praying that an act be passed to better define the rights of grantees of lots in the cemetery of Notre-Dame des Neiges and to further complete the provisions of the laws now in force respecting the administration of such cemetery; and whereas it is expedient to grant such prayer;

Preamble.

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

**1.** The grant of a lot in the cemetery does not confer the ownership of the soil, but merely the right of using it as a burial place.

Effect of grant of a lot in cemetery.

**2.** It shall be lawful for the grantee to declare in the deed of grant, or in his will, or in any other deed, what persons may be buried in the lot conceded, but he cannot, without the consent of the *fabrique*, grant such right to persons outside of his family, except his brothers and sisters; he may also exclude therefrom any person he may think proper.

Power of grantee to make declaration respecting burials in deed of grant, &c.

Notice how given to *fabrique*. Such wish of the said grantee shall be notified to the *fabrique* by serving a copy of the document containing it.

If no such declaration made. **3.** In the absence of such declaration, the grant is supposed to be made for the grantee himself, the members of his family and his heirs.

Who are included under the word : family. **4.** For the purposes of this act, the family includes the father, the mother and the children of the grantee, as well as the direct descendants of the latter ; it also includes the husband or wife during widowhood.

Joint ownership of lots. **5.** If, after the death of the grantee, the right of using the lot belongs to several persons, they shall enjoy the same in common, and the lot shall remain undivided.

How rights may be transferred. **6.** Neither the grantee nor the members of his family, nor his donees, legatees or heirs, can, without the consent of the *fabrique*, transfer their right to the enjoyment of the lot wholly or in part, nor allow a person outside of the family to be buried therein. In the event of undivided possession, the consent of all the co-proprietors is likewise necessary. The same provision shall apply, *mutatis mutandis*, to private vaults.

Who may be buried in the cemetery. **7.** In all cases the right of burial in a conceded lot is limited to persons professing the Catholic religion and buried with the honors of ecclesiastical burial.

Proof of title required in certain cases. Service upon *fabrique*. **8.** Whosoever shall pretend to have acquired the right of burial by will or otherwise in a conceded lot, shall produce proof thereof by serving on the *fabrique* a copy of the document establishing such right.

Who settles difficulties respecting burials. **9.** Should any difficulty arise with respect to the right of being buried in a conceded lot, the person whose right is contested cannot be buried therein until the question has been amicably settled or decided by judicial authority. Meanwhile the body may be buried in a part of the cemetery indicated by the *fabrique*, or placed in the vault of the *fabrique* at the expense of the interested parties.

40 V., c. 61, art. 1, amended. **10.** Article 1 of the act 40 Victoria, chapter 61, is amended by adding the following words at the end thereof :

Disinterment of bodies, &c. " If any burials have taken place in the said lot, and the new grantee requires the bodies to be removed therefrom, the *fabrique* may disinter the same and transfer them to another suitable part of the cemetery."

- 11.** The word grantee in the present act means the person who has acquired the lot. Interpretation of word : grantee.
- 12.** For all sanitary purposes the Cemetery of Notre-Dame des Neiges is placed under the control of the municipal sanitary authorities of Montreal. Sanitary regulation of cemetery.
- 13.** As the present law is of a declaratory nature, it applies to lots which are now, or which may be, hereafter, conceded. Act declaratory, &c.
- 14.** This act shall come into force on the day of its sanction. Coming into force.

---

C H A P. 9 3

An Act to provide for the establishment of a *fabrique* and for the election of church-wardens, in the parish of Saint Charles Borromée, in the diocese of Montreal

[Assented to 26th March, 1902]

**W**HEREAS His Grace *Monseigneur* Paul Bruchési, Arch-bishop of Montreal, together with a certain number of Roman Catholic inhabitants of the parish of St. Charles Borromée, in the diocese of Montreal, acting in accordance with the desire of a very great majority of parishioners have, by their petition represented : Preamble.

That, by a deed of gift, made and passed in authentic form, before Mtre. J. O. LeBlanc, notary, and his colleague, L. Désaulniers, in the village of Industrie, on the fourth of February, 1850, and duly registered, the Honorable Barthélemy Joliette, then member of the Legislative Council of the Province of Canada, residing in the said village of Industrie, and Dame Charlotte Tarien Taillant de Lanaudiere his wife, by him duly authorized, jointly made a gift, *inter vivos* to the Roman Catholic episcopal corporation of Montreal, represented in the said deed by *Monseigneur* Ignace Bourget, then bishop of Montreal, present and accepting thereof with the usufruct and enjoyment forever : 1. Of a lot of land situate in the said village of Industrie and described in the said deed, as well as a church, sacristy, presbytery, and other buildings and dependencies thereon erected ; 2. Of all the assets of the said church, as also of the moveables and moveable effects furnishing the said church or used for divine worship or in the celebration of religious offices in the said church according to a list contained in the said deed ;