

2. The said community shall, each year, submit to the General report to the legislature, a return of its moveable and immoveable properties, as well as of its annual receipts and expenditure.

3. The present act shall come into force on the day of its sanction.

# CAP. LXXVI.

An Act to authorize the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*" at Joliette, to hypothecate certain immoveables.

[Assented to 24th July, 1880.]

WHEREAS, by a deed of donation *inter vivos*, passed at Joliette, on the fourth of February, one thousand eight hundred and fifty, before Maître J. O. Leblanc and his colleague, notaries, the Hon. Barthélemi Joliette and Dame Charlotte Tarrieux Taillant, of Lanaudière, his wife, did give unto the corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*," in the town of Joliette, the usufruct in perpetuity of certain property described in the said deed, under divers conditions, the principal of which may be summarized as follows :

1. To maintain in the said town of Joliette two establishments, to wit : a noviciate for those who might desire to enter the said religious community, and the "Joliette College," which was already founded ;

2. To keep in good order the immovables described in the said deed of donation ;

3. Never to alienate or hypothecate the usufruct of such immoveables, which shall never be validly seized, discussed or sold to satisfy and debt, contract or engagement contracted or entered into by the corporation, or any others which may hereafter be substituted therefor.

Which conditions the said corporation undertook to fulfil under penalty of the deed becoming void ;

Whereas the said deed of donation contains a clause which reads as follows :

" And the said donors do hereby donate the mere ownership of the immovables herein mentioned and described to the Roman Catholic inhabitants of the parish of St. Charles Borromée, as the said parish is now erected and bounded by a canonical decree of His Lordship the Bishop of Montreal, dated the twenty third of December, one thousand eight hundred and forty three, and confirmed by a civil decree or proclamation of the Governor of Canada, bearing date the sixteenth of June, one thousand eight hundred

and forty-five ; and the donors desire and expressly mean that, in the event of the dissolution of the said corporation for any reason whatsoever, or of the corporation causing the voidance of the deed of donation by non-fulfilment of any of the conditions imposed upon it by the present donation, in either of such cases the usufruct and full and entire enjoyment of the immovables described in the present donation, shall then be reversible and shall pass into the possession of the Roman Catholic Episcopal Corporation of Montreal, upon the condition that the said Roman Catholic Episcopal Corporation of Montreal shall fulfil, execute and accomplish, in perpetuity, all the charges and conditions mentioned in the present donation, under penalty of the voidance thereof."

Whereas the said corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*," has maintained in the said town of Joliette a noviciate and the "Joliette College," and has kept in good order the immoveables described in the said deed of donation ;

Whereas it has, for the purpose of increasing the size of the said noviciate and the said College, erected buildings of considerable value and has otherwise improved the said immoveables, so that the said immoveables which, in one thousand eight hundred and fifty, were only estimated at about five thousand dollars, are now borne on the assessment roll of the municipality as being worth ninety thousand dollars ;

Whereas, in order to meet the new requirements resulting from the increase of the population in the district of Joliette, it is urgent that the said establishment be further increased in size ;

Whereas the said Corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*," has been under the necessity of becoming indebted in order to meet the cost of the work which it has already caused to be done as aforesaid, and it cannot undertake any new ones without contracting further debts :

Whereas it is in the interest of the good work which the Honorable Barthélemi Joliette and his wife wished to establish, that the said corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*" should borrow a sufficient sum to pay the debt already contracted, and that to be contracted as aforesaid :

Whereas such a loan cannot, with advantage, be made unless the corporation is in a position to offer as security the real estate which it possesses ;

Whereas at a meeting of the Roman Catholic inhabitants of the said parish of St. Charles Borromée, held at Joliette, on the twenty fifth day of April, one thousand eight

hundred and eighty, and duly convened by a notice published on two consecutive Sundays, the eighteenth and twenty fifth days of the said month of April, at the sermon or *prône* of the parochial High Mass, for the purpose of taking into consideration the application which the said corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*" intended to make to the Legislature of this province, to be authorized to hypothecate the said immovable property, the following resolution was unanimously adopted, to wit :

" That, with the object of assisting the corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*" in their generous efforts to increase and give more stability to the prosperity of the educational establishment, known as "*Joliette College*," and considering that by such means the noble-minded projects of the founder of the said College, the Honorable Barthélemi Joliette, will be the more easily carried out,

Be it resolved :

That the inhabitants of the parish of St. Charles Borromée desire that the corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*" be allowed to alienate and hypothecate the mere ownership as well as the usufruct of the said immovables described in the deed of donation by the Honorable Barthélemi Joliette and his wife to the corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur* ;"

And that, moreover, the said inhabitants of the parish of St. Charles Borromée hope that the local Legislature will be pleased to grant the petition of the corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*" for the purpose of obtaining permission to alienate and hypothecate the said immovables, and by so doing, meet the wishes of the inhabitants of the parish of St. Charles Borromée ;"

Whereas the Roman Catholic Episcopal Corporation of Montreal has expressed the same desire, and whereas a petition has been presented to the Legislature praying that an act be passed for the purposes aforesaid ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The corporation of the : "*Clercs Paroissiaux ou Catéchistes de St. Viateur*," in the town of Joliette, may validly hypothecate the mere ownership, as well as the usufruct, of the immovable property which it possesses in the said town of Joliette, in virtue of the said deed of donation, as security for the repayment of any sum which it may borrow, to the amount of thirty thousand dollars ; provided that the sum so borrowed shall only be used to pay the expenses already incurred, or to be incurred, in increasing

Power of the corporation to mortgage certain property, for certain purposes.

the size of the said "Joliette College" and the said noviciate, and for the improvement generally of the said immovables; and, for the payment of the debt so secured by hypothec, the mere ownership as well as the usufruct of the said immovables may be seized and sold in the ordinary course of law.

Such loan shall not be considered as a violation of the conditions imposed upon the said corporation by the deed of donation of the fourth of February, one thousand eight hundred and fifty.

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

### C A P . L X X V I I .

An Act to better define the powers of the testamentary executors of the late Alexandre Maurice Delisle.

[Assented to 24th July, 1880.]

#### Preamble.

**W**HEREAS Marie Angelique Cuvillier, of the city of Montreal, widow of the late Alexandre Maurice Delisle in his life time, Esquire, both in her own name as tutrix to the minors Leslie, Charles E. Schiller, Esquire, Clerk of the Crown for the district of Montreal, in his quality of subrogate tutor to the said minors Leslie, Maurice Nolan Delisle, Charles Alexandre Delisle, merchant, the Misses Marie Anne Angelique Claire Delisle, and Marie Lucie Anne Catherine Delisle, spinsters, Dame Marie Georgiana Delisle, wife of Joseph Henri Pillet, esquire, advocate, and the said Joseph Henri Pillet, authorizing his said wife, Dame Marie Victoria Cordelia Delisle, wife of Olivier Selby, gentleman, and the said Olivier Selby, authorizing his said wife, and Miss Marie Elmire Catherine Clara Leslie, spinster, by their petition, represented:

That the said Alexandre Maurice Delisle departed this life at Montreal, on the thirteenth day of February last, leaving as heirs six children, issue of his marriage with the said Marie Angelique Cuvillier, to wit: the said Maurice Nolan, Charles Alexandre, Marie Anne Angelique Claire, Marie Lucie Anne Catherine, Marie Georgiana, Marie Victoria Cordelia, and three grand-children, issue of the marriage of his daughter, Dame Marie Elmire Delisle, with Patrick Leslie, esquire, of Montreal, merchant, to wit: the said Marie Elmire Catherine Clara Leslie, spinster, Marie Georgiana Stuart Leslie, and James Norman Stuart Leslie, both minors, to whom the said