

1982, chapter 93

AN ACT RESPECTING THE EDWARD SCALLON ESTATE

Bill No. 243

Introduced by Mr Guy Chevette

First reading: 30 November 1981

Second reading: 22 June 1982

Third reading: 22 June 1982

Assented to: 23 June 1982

Coming into force: 23 June 1982

Act amended: None



CHAPTER 93

An Act respecting the Edward Scallon estate

[Assented to 23 June 1982]

Preamble. WHEREAS by his will made in 1862, Edward Scallon left property to the Roman Catholic Episcopal Corporation of Montréal for “the construction of a home in the said Village of Industrie for the benefit of the poor of that village”, and all the property so bequeathed may be used “for the support of the said Industrie Home, the whole to be under the administration and direction of the said Roman Catholic Episcopal Corporation of Montréal, as it may seem fit to and at the discretion of the said bishop of Montréal and his successors, as regards both the establishment and construction of the said Industrie Home and the support of the poor who will be admitted thereto, out of the legacy made hereinabove” [translation];

Whereas the testator stipulated, furthermore, that the property bequeathed to the Roman Catholic Episcopal Corporation of Montréal “is to be administered by the new Roman Catholic Episcopal Corporation in the diocese in which the Village of Industrie is located” in the case where the Village of Industrie, now the city of Joliette, should become located in another diocese;

Whereas the Roman Catholic Episcopal Corporation of Joliette was constituted on 27 January 1904;

Whereas on 21 July 1906 the latter corporation conveyed to the Communauté des Soeurs de Charité de la Providence the usufruct of the immoveables that it had acquired with the property from the Edward Scallon estate and whereas, on 24 June 1927, the Corporation granted to the same community an emphyteutic lease for a term of ninety-nine years on the said immoveables;

Whereas that community has erected new buildings on the leased immoveables;

Whereas, in accordance with the Act respecting health services and social services (R.S.Q., chapter S-5), those immoveables constitute an establishment within the meaning of the said Act, known under the name of "Providence Saint-Joseph" which is to be conveyed to a new corporation constituted under the said Act;

Whereas the Roman Catholic Episcopal Corporation of Joliette agrees to convey the rights of ownership that it possesses on the immoveables on which the said establishment is erected on condition that it be released from the obligations that are incumbent on it by virtue of the will of Edward Scallon;

Whereas the immoveable complex that is to be the subject of the transaction comprises a parcel of land on which is erected a chapel called "de Saint-Joseph" or "des Irlandais" and located at 780 Mgr Forbes boulevard;

Whereas the parcel of land measuring approximately sixty feet by one hundred feet was effectively conveyed to the Roman Catholic Episcopal Corporation of Montréal on 24 February 1876 for the purpose of erecting on the said parcel of land a chapel dedicated to Saint-Joseph, as a "place of pilgrimage";

Whereas the said chapel has long been part of the reception centre surrounding it and is no longer a place of pilgrimage and whereas as early as 1906 the chapel was already administered and maintained by the Communauté des Soeurs de Charité de la Providence;

Whereas the Roman Catholic Episcopal Corporation of Joliette also agrees to convey the said immoveable on the condition that it have lawful title thereto;

Whereas the Roman Catholic Episcopal Corporation of Montréal and the Communauté des Soeurs de la Charité de la Providence give their consent to this bill;

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

Obligations
extin-
guished.

1. The Roman Catholic Episcopal Corporations of Montréal and Joliette are released from the obligations imposed on them by the will of Edward Scallon made on 13 August 1862 before Barthélemy Vézina, notary public, under number 2172 of his minutes.

Declara-
tion of
ownership.

2. The Roman Catholic Episcopal Corporation of Joliette is declared the owner of the following immoveable:

“part of lot five hundred and thirteen (513) of the official plan and book of reference of the cadastre of the town of Joliette, bounded on the northwest by another part of lot 513, on the southeast by Mgr Forbes boulevard, on the southwest by the residue of the said lot 513 and on the northeast by Gaspard street and measuring approximately 100 feet along its southwest and northeast lines and approximately 60 feet along its northwest and southeast lines.

The whole as presently found with the buildings thereon erected.”

Obligation
extinguished.

3. The owner of the immoveable described in section 2 shall not be required to erect or maintain a chapel on the immoveable.

Coming
into force.

4. This Act comes into force on the day of its sanction.