

The Provincial Statutes of Lower-Canada, Being the first session of the fourteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1831.

1 William IV – Chapter 51

An Act for ascertaining, establishing, and confirming in a legal and regular manner, and for Civil Purposes, the Parochial subdivisions of various parts of this Province.

31st March, 1831.—Presented for His Majesty's Assent and reserved "for the signification of His Majesty's pleasure thereon."

12th April, 1832.—Assented to by His Majesty in His Council.

5th June, 1832.—The Royal Assent signified by the Proclamation of His Excellency the Governor in Chief.

Whereas His Excellency the Governor in Chief, by his Message to both Houses of the Provincial Parliament of the Twelfth February, one thousand eight hundred and twenty-seven, was pleased to recommend the necessity of ascertaining, establishing, and confirming in a legal and regular manner, and for civil purposes certain erections and subdivisions of Parishes in various parts of this Province, which have from time to time been made by Ecclesiastical authorities alone; and whereas it is necessary to relieve His Majesty's subjects from the embarrassment and uncertainty which now exist on this subject, and to provide against the difficulties which must ensue if the boundaries of the Parishes are not fixed according to law: Be it therefore enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the government of the Province of Quebec in North America,' and to make further provision for the Government of the said Province;" and it is hereby enacted by the authority of the same, that it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government for the time being, by a Commission or Commissions under the Great Seal of this Province, to appoint three persons in each District of this Province, residing in the District for which they shall be appointed, to be Commissioners for enquiring into and ascertaining in the manner herein alter mentioned and described, the extent, limits, and boundaries of the Parishes and subdivisions thereof, which may have been erected or established by Ecclesiastical authorities alone, since the arret of His Most Christian Majesty, bearing date the third day of March, one thousand seven hundred and twenty-two.

II. And be it further enacted by the authority aforesaid, that it shall be the duty of such Commissioners to cause notice to be given to the inhabitants being proprietors of land in the

said several Parishes or subdivisions of Parishes, to be read publicly at the Church door of such Parishes, or subdivisions of Parishes, and affixed thereon two successive Sundays, or Fetes d'Obligation, immediately after Divine Service, in the morning, that the said Commissioners will proceed in the public room, or if there be no such public room, in some other central place, on the day they shall have fixed, to take information respecting the limits and boundaries thereof, and to make a report or Proces Verbal of such limits and boundaries, and that such of the inhabitants, being proprietors of land in the said Parishes, or subdivisions of Parishes, as may consider themselves interested in the said limits and boundaries, may by a petition or representation in writing, addressed to such Commissioners, set forth fully their objections to such limits and boundaries, and the grounds and reasons thereof, which petition or representation the said Commissioners, shall annex to their report or Proces Verbal to be made as is hereinafter mentioned.

III. And be it further enacted by the authority aforesaid, that it shall be the duty of the said Commissioners, after consulting with the Roman Catholic Bishop, or in the case of the vacancy of the Roman Catholic Episcopal See, with the Administrator of the Roman Catholic Diocese of Quebec, or such person as may or shall be appointed by him, or either of them, for the purposes of this Act, and having obtained his opinion upon the expediency of the extent and limits of the several Parishes, and subdivisions of Parishes which may then be in question, if such opinion he may see fit to give in writing, to annex and make a return of such opinion with a Proces Verbal of their proceedings to the Governor, Lieutenant Governor or person administering the Government, for the time being, and shall specify therein the boundaries or limits of such Parishes or subdivisions of Parishes as they shall find to exist, and they shall further specify in such return or Proces Verbal, such alterations in the boundaries or limits of such Parishes as shall be represented by any number of the inhabitants proprietors in such Parishes or subdivisions of Parishes, to be necessary for the public convenience. And that they shall moreover in their said return or Proces Verbal, describe and declare the limits and boundaries which they shall think most expedient to be assigned to the several Parishes or subdivisions of Parishes, in respect of which such return or Proces Verbal shall be made, and it shall be lawful for the Governor, Lieutenant Governor or person administering the Government thereupon, to issue a Proclamation under the great seal of this Province for the erection of such Parishes or any of them, for civil purposes, and for the confirmation and establishment of the limits and boundaries thereof, if he shall have approved the same; which Proclamation shall be and avail as a legal erection and confirmation for civil purposes, of all the Parishes or Parochial subdivisions which shall be designated therein, even of those which may consist of portions severed from or of subdivisions of those Parishes, of which the limits were established by the aforesaid arret of the third of March, one thousand seven hundred and twenty-two, any law, usage or custom to the contrary notwithstanding.

IV. And be it further enacted by the authority aforesaid, that the said Commissioners shall have power and authority to send for and examine, and, if necessary, to take copies of such papers and documents concerning the said limits and boundaries, as shall be in the possession of any officer or officers, or other person or persons whomsoever, civil or

ecclesiastical, and if any such person or persons having any such document in his or their possession, shall refuse or neglect to exhibit the same to the said Commissioners, when thereunto required, he or they shall be subject to a penalty of ten pounds current money of this Province, to be recovered by a civil action in any of His Majesty's Courts of competent jurisdiction.

V. And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the Governor, Lieutenant Governor or person administering the Government of this Province for the time being, by warrant or warrants under his hand to issue and advance a sum not exceeding one thousand pounds currency, for the purpose of causing this Act to be carried into execution. Provided nevertheless that if after the complete execution of this Act there should remain any part of the said sum not expended for the purposes of this Act, the said unexpended sum or balance shall be and remain at the disposal of the Provincial Parliament.

VI. And be it further enacted by the authority aforesaid, that the due application of the monies by this Act appropriated, shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

VII. And be it further enacted by the authority aforesaid, that nothing in this Act contained shall effect or be construed to affect in any manner or way the Rights of His Majesty, His Heirs or Successors, or of any person or persons, or of any body politic or corporate, such only excepted as are herein mentioned.