

SECTION 1.4 Civil Status of the Archdiocese

Successive steps towards the actual Incorporation of the Archdiocese in 1968:

1. “An Ordinance to Incorporate the Roman Catholic Bishop of the Apostolic Vicariate of Athabasca, Very Reverend Emile Grouard,” by virtue of Chapter 12 of the Ordinances of the North-West Territories, 1902.
2. Chapter 12 of the Ordinances of the North-West Territories 1902 is repealed in 1911, insofar as it applies to the Province of Alberta, and is replaced by chapter 52 of the Statutes of Alberta, 2-3 George V, 1911-1912.
3. Chapter 52 of the Statutes of Alberta, 2-3 George V, 1911-1912, is repealed and replaced by Chapter 50: “An Act to incorporate the Roman Catholic Bishop of the Apostolic Vicariate of Athabasca, and the Roman Catholic Parishes and Missions in the Apostolic Vicariate of Athabasca,” assented to October, 22, 1914

This Act is like a commentary, an explanation, of the meaning of the actual Incorporation:

“Whereas the Very Reverend Emile Grouard, Roman Catholic Bishop of the Apostolic Vicariate of Athabasca has petitioned to be incorporated and authorized to acquire and possess real and personal estate in the Province of Alberta for religious purposes; and whereas the Bishop of the Apostolic Vicariate of Athabasca wishes to be assisted in the management of said estates and he has petitioned for the right to incorporate Catholic parishes and missions in the Apostolic Vicariate of Athabasca now existing, or what may hereafter be organized:

Therefore, His Majesty... enacts as follows:

- a) The Very Reverend Emile Grouard, Roman Catholic Bishop of the Apostolic Vicariate of Athabasca, and each of his successors in the said Apostolic Vicariate in communion with the Church of Rome, shall be, and is by these presents declared and established a corporate body in fact and in name under the name of “La Corporation Episcopale Catholique Romaine d’Athabasca”, and under this name shall have the right of succession in perpetuity and shall have a corporate seal... and may under the name aforesaid...buy, acquire, hold, possess, enjoy, take and receive for religious purposes, any land, or real and personal estate ... dispose of by sale, transfer or mortgage, lease, exchange or otherwise...
- b) If any parish or mission of the Roman Catholic Church own or wish to acquire any lands for the erection of a church, chapel, parsonage house, or for cemeteries, or other worship purposes, such parish or mission, from the fact of its canonical erection, shall become a body politic and corporate, which will be represented by His Lordship the Bishop of the Apostolic Vicariate of Athabasca.
- c) These different corporations will be known under the name of “The Roman Catholic Parish or the Roman Catholic Mission of.... of the Apostolic Vicariate of Athabasca
- d) The said parishes and missions under those names and represented as above, may have perpetual succession and a seal ... and may, under the same name and at the same time in future, buy, acquire by gift, devise, bequest, transfer, purchase or otherwise hold, possess,

enjoy, take and receive for the benefit of their said establishment , any lands or real and personal estate... dispose of by sale transfer of mortgage, lease, exchange or otherwise, and with the proceeds therefore may acquire other lands, tenements, hereditaments and other property or invest the same in any security whatsoever for the use of said parishes and missions and shall have the power to borrow for the purposes of the said corporation on mortgage, promissory notes or other security.

- e) All property already assigned for the maintenance and support of the Roman Catholic parishes and missions may be transferred as heretofore indicated to any of said parishes or missions as incorporated under this Act.
- f) The patents applied for in the name of the Roman Catholic parishes and missions shall become the property of said parishes and missions to which lands have been donated or granted.

4. Chapter 74, 1928: “An Act to amend Chapter 50 of the Statutes of Alberta 1914”.

Section 1 is amended by deleting the words “d’Athabasca” and substituting the words “de Grouard”.

5. Chapter 113 of the Statutes of Alberta, Second Session, 12th Legislature, 3 Elizabeth II, 1954, Bill No.6: “An Act to amend the Act Incorporating the Roman Catholic Bishop of the Apostolic Vicariate of Athabasca and the Roman Catholic Parishes and Missions in the Apostolic Vicariate of Athabasca”. A new section is added immediately after Section 7 (Section 7a) exempting from taxation parcels of lands with buildings not exceeding three acres... “for educational purposes”, namely the parish dormitories at Guy, Tangent, Jean-Côté and Girouxville.
6. Chapter 107 of the Statutes of Alberta, 1968, assented to on May 2nd, 1968. Bill private 3, First Session, 16th Legislature, 17 Elizabeth II.

“An Act to Incorporate the Roman Catholic Archdiocese of Grouard-McLennan.”

This is the actual Incorporation, changed on account of the elevation of the Vicariate Apostolic of Grouard to the rank of Archdiocese of Grouard-McLennan, the preceding year. This Act may be cited as THE CATHOLIC ARCHDIOCESE OF GROUARD-MCLENNAN ACT”.

“The Most Reverend Henri Routhier, Archbishop of the Catholic Archdiocese of Grouard-McLennan and each of his successors in the Archdiocese in communion with the Church of Rome continues as a body corporate and politic by the name of “ La Corporation Episcopale Catholique Romaine de Grouard’, as successors to the Very Reverend Emile Grouard, heretofore Constituted a body corporate under that name by chapter 50 of the Statutes of Alberta, 1941.”

The Corporation is hereby authorized and empowered:

- a) to acquire by gift, purchase, devise, bequest, transfer of otherwise, real or personal property of every nature in the Province of Alberta and to have, hold, possess, enjoy, take and receive the same for the general uses and purposes, ecclesiastical, religious, charitable, educational and recreational of the Archdiocese or any part thereof; (Note: In the Act of Incorporation until 1968 the power to acquire and hold land, the power to invest the proceeds of any property and the power to borrow and the power to sue are restricted to “religious purposes”. Lawyer Roger Belzile, when he prepared the draft for the news Incorporation Act to be presented to the Legislature of Alberta,

suggested that the terms used in the Incorporation of the Catholic Archdiocese of Edmonton be adopted in our new Incorporation. This was done.

- b) to give, sell, exchange, convey, transfer, assign, mortgage, encumber, demise or otherwise dispose of all or any of the property, real or personal, of the corporation or any interest therein;
- c) to borrow, raise or secure the payment of money for any of the purposes of the corporation in such manner as is considered expedient and in particular by negotiable instruments and by the issue of debentures of debenture stock, bonds, mortgages or obligations, charged upon all or any of the property of the corporation, and to purchase, redeem or pay off any such securities in whole or in part.
- d) to make loans and to receive mortgages, bonds and debentures, negotiable instruments or other securities as security therefore; and to assign, sell, transfer, hypothecate, pledge or otherwise dispose of mortgages or securities so received; and to discharge and release mortgages or other securities so given either in whole or in part and to extend the period for payments thereof;
- e) to give any guarantee for payment of any loan, mortgage, bond or debenture issue, obligations or securities made or issued by any parish or mission, situated within the territory limits of the corporation;
- f) to enact such regulations and orders which are considered necessary for the management of the affairs of the Corporation.

All instruments or documents to be signed or executed by the corporation shall be signed or executed by the Archbishop.

The Archbishop may establish parishes or missions within the Archdiocese and every such parish or mission shall become a body politic and corporate by the style and name of “The Parish of...” or “The Mission of...” with the specific name given in each case by the Archbishop.

Each such parish or mission shall be represented by the Archbishop and the priest appointed by the Archbishop for the administration of each such parish and mission.

All instruments or documents to be signed or executed by each such parish or mission shall be signed or executed by the parish priest or missionary appointed by the Archbishop to be in charge of such parish or mission as the case may be and by the Archbishop with the seal only of the parish or mission as the case may be.

Each such parish or mission has mutatis mutandis, all the powers herein conferred upon the corporation except the powers conferred in clause (e) of section 3.

All powers and authority of the corporation herein authorized to be exercised by the Archbishop may be exercised in like manner by the Coadjutor Archbishop, Auxiliary, the Vicar General or the member of clergy canonically elected or appointed to administer the affairs of the Archdiocese and all instruments or documents to be signed or executed by the corporation or by any parish or mission may likewise be signed or executed by any of the foregoing persons instead of the Archbishop.

Every parish or mission of the Roman Catholic Church in the Province of Alberta that, before the passing of this Act, became a body politic and corporate under An Act to incorporate the Roman Catholic Bishop of the Apostolic Vicariate of Athabasca, and the Roman Catholic Parishes and

Missions in the Apostolic Vicariate of Athabasca, being Chapter 50 of the statutes of Alberta, 1914, is continued as a body corporate of this Act.

It shall be lawful for any person or corporation in whose name any real or personal property is now or may hereafter be held in trust or otherwise for the benefit of the Archbishop or for the benefit of any parish or mission established by the Archbishop to assign, convey or transfer it to the corporation or to the parish or mission as the case may be.

The powers herein granted are subject to the general laws of the Province now in force or hereafter enacted.

It follows from the text of our Archdiocesan Civil Incorporation that:

- The Archbishop is a “corporation sole”, the only one person officially authorized by the Government of Alberta to administer the Archdiocese and all the parishes and missions of the Archdiocese.
- That his only representative in each parish or mission is the priest whom he himself has appointed as pastor.
- That the Archbishop and the Pastor must always be the first as authorized to sign the bank accounts and other financial documents.
- That parish councils cannot be considered as independent or autonomous bodies authorized to administer parish funds without the Archbishop and the priest. They are canonical bodies appointed to be councillors with a consultative vote in order to help the parish priest to take his financial responsibilities as the representative of the Archbishop.

As the Archbishop is the Corporation (diocesan and parochial), it is convenient that he keep all official documents in his residence’s vault and may consult them at will and see to their safe upkeep.

There are no autonomous parish or mission corporations in the Archdiocese: all Parish and mission corporations, with the right to have their own seal, are “La Corporation Episcopale Catholique Romaine de Grouard.” under the name given to them by the Archbishop. They are “such and such” parish or mission of the Grouard Diocesan Corporation.