



## CHAPTER 130

### An Act concerning the estates of Miss Léonidas Bourgoin and Miss Arzélie Bourgoin

[Assented to, the 30th of May, 1940]

**WHEREAS** the Misses Léonidas Bourgoin and <sup>Preamble.</sup> Arzélie Bourgoin, in their lifetime of the parish of St. Henri de Mascouche, have, by their respective wills, left their property for the relief of the destitute of St. Henri de Mascouche and for the expansion of religious vocations;

Whereas it is evident that they thus intended to create a trust and to appoint the rector (*curé*) of St. Henri de Mascouche, *ex officio*, as fiduciary legatee;

Whereas, by inadvertence, they did not prolong the legal seizin of the said fiduciary legatee;

Whereas the said Misses Bourgoin are deceased, and, in order to enable the purposes and objects of their respective wills to be completely fulfilled, it is necessary to recognize this trust and to prolong the legal seizin of the fiduciary legatee until the complete execution of the testatrixes' wills;

Whereas it is expedient to grant the prayer contained in the petition therefor;

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

**1.** The rector (*curé*) of St. Henri de Mascouche, <sup>Rector as</sup> *ex officio*, has always been and is the fiduciary <sup>fiduciary</sup> legatee. <sup>legatee.</sup>

**Seizin, etc.** legatee of Miss Léonidas Bourgoin and of Miss Arzélie Bourgoin and always has had and has the lawful seizin and ownership of the property bequeathed by them under the terms of their holograph wills, dated May 1st, 1927, as to Miss Léonidas Bourgoin, and dated October 1st, 1933, as to Miss Arzélie Bourgoin.

**Right to dispose of residuary property.** **2.** The rector (*curé*) of St. Henri de Mascouche, *ex officio*, has always had and has the right, to the exclusion of all persons whomsoever, and particularly to the exclusion of all eventual heirs, to dispose of, in their entirety and with wise discretion, but for the purposes expressly provided for in each will, the residuary property bequeathed by each testatrix.

**Accounting.** **3.** Nevertheless, the rector (*curé*) of St. Henri de Mascouche shall, each year, beginning on the 31st December, 1940, render an account of his administration of the property to the Episcopal Corporation of the Diocese of Joliette.

**Costs.** **4.** The costs incurred for the passing of this act shall be borne, in equal shares, by each estate.

**Coming into force.** **5.** This act shall come into force on the day of its sanction.