



CHAPTER 171

An Act to give civil effect to the marriage contracted between the late Zénon Béchard and Dame Onésime Béchard

[Assented to, the 15th of March, 1933]

WHEREAS Dame Onésime Béchard, of Napierville, ^{Preamble.} widow of Sieur Zénon Béchard, in his lifetime of the same place, annuitant, and Armand Béchard, mechanic, also of Napierville, have, by their petition, represented:

That, on the 10th of January, 1911, Sieur Zénon Béchard, then farmer, of the parish of Notre-Dame du Mont Carmel, county of St. John's, married Dame Onésime Béchard, his niece, daughter of his brother Edmond Béchard, farmer, of St. Bernard de Lacolle, and that their marriage was preceded by a marriage contract passed before Mtre. Hector C. Parent, notary, on the 9th of January, 1911, registered in the registry office of the county of St. John's, on the 26th of January, 1911, under No. 28,369;

That the said marriage was contracted after the parties had obtained from His Excellency Monseigneur Paul Bruchési, Archbishop of Montreal, on the 31st of December, 1910, under an apostolic indult from His Holiness Pope Pius X, dated the twenty-first of March 1908, a dispensation from the impediment of consanguinity, and a dispensation from the publishing of the three bans of marriage;

That the said marriage was contracted in good faith by the parties, who were unaware of the prohibitive provisions of the law regarding them;

That the said marriage, valid from a religious standpoint may, however, be subject to litigation as regards its civil effect;

That a child was born of such marriage, to wit: one of the petitioners, Armand Béchard;

That the said *Zénon Béchar*d died at Napierville on the 10th of November, 1931, without leaving a will, and that it is impossible to settle his estate as long as any doubt exists as to the civil effects of his marriage, and of his marriage contract;

Whereas the petitioners have prayed that, notwithstanding Article 126 of the Civil Code of this Province, civil effects be given to such marriage and that the aforesaid marriage contract be validated; and

Whereas it is expedient to grant such prayer;

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

Application of civil effects to certain marriage, etc.

1. Notwithstanding Article 126 of the Civil Code of this Province, the marriage contracted by the late *Zénon Béchar*d and Dame *Onésime Béchar*d on the 10th of January, 1911, as well as the marriage contract made by these latter, before Mtre. Hector C. Parent, notary, on the 9th of January, 1911, has had since the celebration of the marriage and has, both as regards the consorts and as regards *Armand Béchar*d, child born of their union, all the civil effects of legitimate union.

Donations, etc., validated.

2. All donations and gifts, *intervivos* or testamentary, made or which may be made to the said *Armand Béchar*d, descendant of the said *Zénon Béchar*d and of the said Dame *Onésime Béchar*d, shall be deemed valid.

Coming into force.

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