

houses, carrying on industries and disposing of the proceeds thereof; provided it complies with the laws of the Province and the directions of the ecclesiastical authorities. Proviso.

**11.** The corporation may have and establish a vault or cemetery on the grounds of each of its establishments for the mortal remains of its members; provided it complies with the laws, prescriptions and regulations of the civil and religious authorities. Vault for burial of remains of members. Proviso.

**12.** The corporation shall, when required by the Lieutenant-Governor in Council, submit to each of the three branches of the Legislature a detailed statement of the immoveables which it shall possess in virtue of the present act. Return to Legislature.

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

## CAP. XCI

An Act respecting the succession of the late Edouard Narcisse de Lorimier

[Assented to 15th January, 1898]

**WHEREAS** Joseph Robillard, trader, of the city of Montreal, in his capacity of testamentary executor and administrator under the will hereinafter set forth has, by his petition, represented : Preamble.

That the late Edward Narcisse de Lorimier, on the 5th of February, 1878, at Laprairie, in the county of Laprairie, made his solemn will, containing, among other stipulations, the following :

“ As to the residue of all the property generally whatsoever that I may leave at my death, both moveable and immoveable, to whatever sum the same may amount, or in whatever they may consist and be worth, in whatever places they may be situated, I give and bequeath the whole of them, without exception, or reserve to my grandchildren, born and to be born in lawful marriage of my said children, James, Hermine and Anne, to be equally divided between them by heads without regard to the right of representation, constituting them for that purpose my universal legatees, jointly and each for his share.

“ If any one of them should die before the partition of the said property should be made, I desire his share to be taken by the others as an increment, so that they may enjoy, use, do with, dispose and take possession of all my property from the date hereinafter fixed for each of them.

" My intention is that my administrator shall invest my moneys in mortgages or other securities which he may deem sufficient, and that he shall employ the revenues for the instruction and education of my universal legatees, keeping an account of the sums he shall pay for each of them. As to the revenues which will not be employed for that purpose, they shall be capitalized and added to the amount of the universal legacy which I have just made.

" As soon as one of my universal legatees shall have attained his thirtieth year, my administrator shall make up the total of the amount composing the universal legacy which I have just made and all of the revenues that my administrator shall have received, and he shall divide such total equally between the children then surviving or who, having died, may have left descendants, issue of their lawful marriages, the children of my grandchildren receiving the share of their author by right of representation.

" Out of the share of such total coming to each one, my administrator shall retain an amount equal to that which shall have been expended for the instruction of such child, in order that there may be equality between them, and shall pay their share of the capital to each of my universal legatees as soon as he shall have attained his thirtieth year. The share of those who are deceased shall be paid to the tutor of their descendants at the date when their predecessor would have attained such age."

That by the same will the late Edward Narcisse de Lorimier made a special legacy in favor of one of his children, Arthur, as follows :

" In case my other son Arthur should ever return to the country, from which he is absent, and from whom I have received no news for seven years, I give and bequeath to him the sum of two thousand dollars, which shall be paid to him by my administrator hereinafter named, within a reasonable delay from the date of his arrival."

That the testator died on the 14th of December, 1882 :

That some of the testator's grandchildren are minors ;

That the said Arthur de Lorimier has been absent from the country for over thirty years, and his sisters believe that he is dead ;

That amongst the property left by the testator there are shares of the Banque du Peuple, of the city and district of Montreal, as well as rights in the seigniority of Neuville, and the rights in constituted rents due by Robert Cowan and others ;

That, in accordance with the above stipulations, the testamentary executor, the present petitioner, rendered a statement of account and made a partition establishing the rights of each of the grandchildren of the late Edward Narcisse de Lorimier, on the 23rd September, 1896, before L. O. Hétu, Notary, Montreal, district of Montreal, the date

at which one of the grandchildren of the late Edward Narcisse de Lorimier had attained the age of thirty years ;

That the said account, statement and partition were duly accepted by all the parties interested, as well personally as by their tutors, as the whole appears by the deed of deposit, dated the 23rd September, 1896, of the statement of account, by Joseph Robillard, and of a settlement of accounts and an acceptance of account rendered, dated 26th October, 1896, by Blanche de Lorimier and others, and an acquittance in favor of Joseph Robillard ;

That it is in the interest of all the parties interested that the testamentary executor and administrator pay over, at once, to the said parties interested or to their representatives, the amounts which are respectively due to them, in virtue of the statement, account, and partition above mentioned ;

That, inasmuch as some of the grandchildren of the late Edward Narcisse de Lorimier are minors, who cannot touch such sums before the age of thirty years, the cost of administration will amount to a considerable sum, and the said grandchildren will be deprived of the sums so spent ;

That the sums coming to each of the grandchildren are so small that it would be much more profitable to them if such grandchildren could receive them immediately ;

That it would also be advantageous to liquidate the said succession, so that the grandchildren might immediately receive the proceeds thereof ;

Whereas the testamentary executor has prayed, by his petition, that power be granted to him for the purposes above mentioned, and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The testamentary executor and administrator of the estate of the late Edward Narcisse de Lorimier is authorized to sell, within the delay of six months from the coming into force of this act, the rights which the said succession may have against the Banque du Peuple, of Montreal, and its rights in and to the seigniory of Neuville, and to the constituted rents due by Robert Cowan and others, of Huntingdon, in the district of Beauharnois. Authority to sell certain rights.

**2.** The said testamentary executor may pay the proceeds of the sales of these rights to the grandchildren of the late Edward Narcisse de Lorimier, according to their respective rights, in virtue of the above mentioned will. Payment of proceeds.

**3.** The said testamentary executor shall be considered as being in final possession of the sum of two thousand Distribution of certain sum authorized, &c.

dollars, bequeathed conditionally to Arthur de Lorimier, who is now absent, and may distribute the same, like all the other property composing the aforesaid universal legacy, to the testator's grandchildren, according to their rights under the same will.

Effect of putting in possession.

Such putting in possession shall have the same effect and shall be subject to the same recourse, as if made by a court of justice under the authority of the Civil Code.

Certain statement and partition declared final.

4. The statement or partition made by Joseph Robillard on the 23rd September, 1896, and deposited the same day with L. O. Héту, Notary, at Montreal, is declared final.

Payment to minor children, &c., authorized.

5. The testamentary executor of the said succession may pay, to the said minor children or to their representatives, the sums which may be due them, according to the statement and partition above mentioned.

Discharge of testamentary executor.

6. The testamentary executor, after the payments made in virtue of the provisions of this act, shall be discharged, both personally and as testamentary executor and administrator, to all intents and purposes, on the final acquittance given by the grandchildren who are capable of giving it, or by the tutors of those who are still minors.

Authority given to grant discharge.

7. The grandchildren who are of age and the tutors of the minor children are authorized to receive the above amounts and to give an acquittance and discharge therefor to the testamentary executor and administrator.

Coming into force.

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

## CAP. XCII

An Act to authorize Joseph Alexandre Adolphe Birtz, *dit* Desmarteau *alias* Alexandre Desmarteau, in his capacity of tutor to Louis Joseph Arthur Birtz *dit* Desmarteau, his minor brother, to sell, *en bloc* or separately, the property of the late Charles Birtz *dit* Desmarteau, his father

[Assented to 15th January, 1898]

Preamble.

WHEREAS Charles Birtz *dit* Desmarteau, accountant, Marie Evelina Birtz *dit* Desmarteau, Marie Louise Philomène Georgianna Birtz *dit* Desmarteau, the two latter spinsters, and Joseph Alexandre Adolphe Birtz *dit* Desmarteau, *alias* Alexandre Desmarteau, accountant, all of the city of Montreal, the latter acting in his own individual name and