

CAP. XCVI.

An Act respecting lot number twenty-four of the cadastre of Hochelaga.

[Assented to 12th January, 1895.]

Preamble.

WHEREAS the community of the *Sœurs des Saints Noms de Jésus et de Marie*, a duly constituted corporation, having its principal establishment in the city of Montreal, has, by petition, represented :

That, by deed of donation passed at Hochelaga, now annexed to Montreal, before J. H. Jobin and colleagues, notaries, on the twenty-seventh of November, one thousand eight hundred and fifty-eight, under the number eight thousand six hundred and seventy-eight of the minutes of the said J. H. Jobin, notary, Simon Valois and his wife, Dame Marie Emilie Millette dit Latremouille, gave to the said community a lot of land described in the said deed of gift and now known and designated as number twenty-four of the cadastre of Hochelaga, in addition to the sum of five hundred pounds and certain building materials, and that such gift was made subject to the following clauses and conditions :

1. That the community shall erect and built a novitiate on the lot of land aforesaid, within the shortest possible delay ;

2. That the community shall, within the shortest possible delay, erect and build a chapel upon the said lot the cost whereof shall not be less than five hundred pounds, in which at least one low mass shall be perpetually said on every week-day and a solemn high mass on every Sunday, for ever, in so far as the ecclesiastical superiors permit the same ;

3. That the community shall have the bodies of the said donors interred in the vaults of the said chapel, with a suitable burial service, the body being in the church, if possible, and an anniversary service, with communion, for each of them ; also the bodies of the family of the said donors, that is to say, the bodies of their children, their sons-in-law and their grand-children, if any, and shall give burial only to the members of the family of Narcisse Valois and Dame Toussaint Ladouceur ;

4. Finally, that the community shall suitably educate lodge and board the two poorest children of the family of the said donor only, forever, so long as the said Valois family shall exact the same ;

That the said Simon Valois died, after having made his will at Montreal, before J. Belle and colleague, notaries, on the fourth December, one thousand eight hundred and sixty-six, appointing his two children, to wit : the Reverend

Louis Etienne Avila Valois and Marie Philomène Valois, wife of Paul Lussier, his universal legatees and as institutes in the substitution, with the right to sell, dispose and alienate ;

That the Reverend Louis Etienne Avila Valois died in Montreal, without making a will, leaving his mother and his sister as his sole heiresses ;

That Dame Emilie Millette dit Latremouille, widow of the late Simon Valois, died intestate, leaving as sole heiress her daughter Dame Lussier ;

That the said Dame Lussier is the sole representative and heiress of her mother and of her brother aforesaid, and the sole legatee of her father, under the terms of the will above mentioned ;

That, at Montreal, on the thirtieth of October, one thousand eight hundred and ninety-four, by deed, before H. P. Pepin, the said Dame Marie Philomène Valois, widow of Paul Lussier, declared that she wishes to transfer the remains of her father and mother to the Roman Catholic cemetery of Côte des Neiges, where she has bought a special lot for the purpose, and where she intends to bury her husband, who has recently died ; that she has purchased a lot adjoining her own, in the same cemetery, for the members of the family of the late Narcisse Valois and Dame Toussaint Ladouceur, and that she wishes to transfer to that lot the remains of the members of the said family, already interred in the chapel of the community, which said lots shall hereafter serve for the purpose indicated in the said deed of gift ;

That, in the same deed, Dame Marie Philomène Valois, in her capacity of sole legatee of Simon Valois, under the will of the latter, and in her capacity of sole heiress of her mother, Dame Emelie Millette dit Latremouille, and of her brother, the late Reverend Louis Etienne Avila Valois, priest, declared that she expressly renounced the clauses and conditions above recited in the donation by Simon Valois and his wife to the said community, by deed before J. H. Jobin and colleague, on the twenty-seventh November, one thousand eight hundred and fifty-eight, and that she wishes that the said donation should remain as if the said clauses and conditions had not been inserted therein, and that it retain its full force and effect without the said clauses and conditions, expressly renouncing every right to resiliate and annul, on account of the said clauses and conditions, as fully as if the said right had not been stipulated therein.

That, on its part, the said community in the same deed undertakes :

1. To suitably educate, lodge and board, as in the past, in one of its establishments, the two poorest children of the

donor's family, at the choice of Dame Lussier, during her lifetime, and afterwards at the choice of the community,

2. To place and receive, at its cost and expense, in the chapel of its main establishment, wherever the same may be established, medallions, with an inscription, stating that the members of the family of the late Simon Valois have been the benefactors of the community, these two obligations not imposing any hypothecary charge, but merely giving personal recourse against the community.

Whereas, however, doubts may arise as to the complete and entire removal of the charges aforesaid, inasmuch as Dame Lussier is an institute in the substitution of her father's estate, in so far as the said estate is concerned, and that such doubts are of a nature to cause prejudice to the community ;

Whereas it is important to remove every doubt on the subject, and it is expedient to grant the prayer of the petitioner ;

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

Certain deed
ratified.

Certain prop-
erty free from
certain
charges.

Coming into
force.

1. The deed passed at Montreal, on the thirtieth of October, one thousand eight hundred and ninety-four, before H. P. Pepin, notary, between Dame Paul Lussier and the community of the *Sœurs des Saints Noms de Jésus et de Marie*, is confirmed and ratified to all intents and purposes ; and the property known as number twenty-four of the cadastre of Hochelaga is freed from the charges imposed in the said deed of gift *inter vivos* mentioned in the said deed.

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

C A P. X C V I I.

An Act respecting the substitution established by Jean-Baptiste Charbonneau and his wife.

[Assented to 12th January, 1895.]

Preamble.

WHEREAS it has, by petition, been represented that by deed of gift *inter vivos*, passed in the new parish of St. Ours du Grand Saint Esprit (at present St. Esprit, in the county of Montcalm), before J. E. Faribault, notary, by Jean Baptiste Charbonneau, farmer, and his wife, Charlotte Gueret dit Dumont, residing in the aforesaid parish, to Jean-Baptiste Charbonneau and Joseph Charbonneau, their sons, the donors imposed upon the donees a substitution of the