

school commissioners of the village of Boucherville, &c.

Also certain other lands.

Conditions of assignment.

Proviso.

Coming into force.

Jodoin, by deed passed before Mtre. Louis Normandin, notary, on the third of March, one thousand eight hundred and seventy-five, may be assigned to the school commissioners of the municipality of the village of Boucherville, or to any other corporation or person, by emphyteutic lease or otherwise, as well as the land donated by the said donor to Messire Pierre Euchet Lussier, priest, by deed passed before Mtre. Louis Normandin, notary, on the nineteenth of August, one thousand eight hundred and seventy-six, for the purpose of erecting a college thereon.

2. Such assignment may be made on the conditions already agreed upon between the said parties, or on any other conditions which they may deem more advantageous for the object they have in view, and it shall be a valid title; provided that the chapel built on the said lots of lands be always maintained, kept up and devoted to the worship of the Sacré-Cœur, under the direction of the *curé* or officiating priest of the parish of Boucherville, in accordance with the intentions of the donor, and that all the other conditions, set forth in the said deeds, be faithfully carried out.

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

## CAP. CII.

An Act to confirm the sales made to Joseph C. Beauchamp and Pierre Demers of certain immoveables belonging to the estate of the late Thomas Fergusson Miller.

[Assented to 24th June, 1892.]

Preamble.

WHEREAS Joseph C. Beauchamp, accountant, of Montreal, by deed of sale made on the fourth of February, eighteen hundred and eighty-nine, before William de M. Marler, notary public, at Montreal, purchased of William Thomas Miller and others, the legatees of the late Thomas Fergusson Miller, a certain immoveable property described in said act as being a lot or emplacement forming part of number fifteen hundred and four, on the official plan and book of reference of St. Antoine ward, in the city of Montreal, and known more particularly on the plan of subdivision of said lot, containing twenty-three feet seven inches in breadth in front, and twenty-three feet five inches in breadth in rear, on a depth of one hundred and sixteen feet six inches, containing in all two thousand seven hundred and thirty-seven feet in superficies, English measure; bounded in front by Drummond street, in rear by a

lane eighteen feet wide, to the north-west by subdivision number fourteen, and to the south-east by subdivision number four of the said lot number fifteen hundred and four ;

Whereas Pierre Demers, merchant, of Montreal, by a deed of sale made and passed on the sixth of February, eighteen hundred and eighty-nine, before William de M. Marler, notary public, at Montreal, purchased from the said universal legatees of the late Thomas Fergusson Miller, a certain immoveable property described in said deed as being a lot or emplacement forming part of number fifteen hundred and four on the official plan and book of reference of the St. Antoine ward, in the city of Montreal, being more particularly known on the plan of subdivision made by the said vendors, of part of the said lot, as being subdivision number fourteen, containing twenty-three feet seven inches in breadth in front, twenty-three feet five inches in breadth in rear, by a depth of one hundred and sixteen feet six inches, and containing in all in superficies two thousand seven hundred and thirty-seven feet, more or less, English measure, bounded in front by Drummond street, in rear by a lane eighteen feet wide, to the north-west by subdivision number fifteen, and to the south-east by subdivision number thirteen of the said lot number fifteen hundred and four :

Whereas the vendors in the said deeds had inherited the said immoveables by virtue of the holograph will of the late Thomas Fergusson Miller, duly probated before the Superior Court for the district of Montreal, on the third of July, eighteen hundred and eighty-five ;

Whereas doubts have arisen as to the rights of ownership of the said vendors in the said deeds, and the said Joseph C. Beauchamp and Pierre Demers have been unable to borrow money to build, on the security of the said lots of land ;

Whereas, to put an end to such doubts, action was instituted at Montreal, on the twentieth of June, eighteen hundred and ninety and returned on the fifth of September following, under number nine hundred and twenty-seven of the records of the Superior Court, by which Pierre Demers prayed for the resiliation of the said deed of sale which had been granted to him, alleging that the vendors were not absolute proprietors thereof, but only institutés, and that the said property had been sold to him free from all hindrances and charges whatsoever ;

Whereas, by judgment rendered on the second of December, eighteen hundred and ninety-one, the action of said Pierre Demers was dismissed and the Superior Court decided that no fiduciary substitution had been created by the said will ;

Whereas, notwithstanding said judgment, the said Joseph

C. Beauchamp and Pierre Demers may meet with difficulty in borrowing on the security of said immoveables, in the ordinary course of business, and that it is expedient under the circumstances to confirm and ratify the said deeds of sale ;

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

Certain contract of sale of 4th February, 1889, declared valid.

1. The contract of sale made and passed on the fourth of February, eighteen hundred and eighty-nine, before Mtre. William de M. Marler, notary public, at Montreal, by William Thomas Miller and others, legatees of the said Thomas Fergusson Miller, to the said Joseph C. Beauchamp, accountant, of Montreal, of the following immoveable, to wit: A lot or emplacement forming part of lot number fifteen hundred and four (1504) on the official plan and book of reference of St. Antoine ward, in the city of Montreal, and more particularly known on the plan of subdivision of said lot, made by the vendors of subdivision as number thirteen of said lot, containing twenty-three feet seven inches in breadth in front, twenty-three feet five inches in breadth in rear, on a depth of one hundred and sixteen feet six inches, and containing in all two thousand seven hundred and thirty-seven feet in superficies, English measure ; bounded in front by Drummond street, in rear by a lane eighteen feet wide, to the north-west by subdivision number fourteen (14), and to the south-east by subdivision number four (4) ; and the deed of sale passed on the sixth of February, eighteen hundred and eighty-nine, before the said William de M. Marler, notary public, at Montreal, by William Thomas Miller and others, to the said Pierre Demers, merchant, of Montreal, of the following immoveable, to wit : A certain lot or emplacement forming part of lot number fifteen hundred and four (1504) on the official plan and book of reference of St. Antoine ward, in the city of Montreal, more particularly known on the plan of subdivision made by the said vendors of part of the said lot as being subdivision number fourteen (14), containing twenty-three feet seven inches in breadth in front, twenty-three feet five inches in breadth in rear, by a depth of one hundred and sixteen feet six inches, and containing in all a superficies of two thousand seven hundred and thirty-seven feet, more or less, English measure, bounded in front by Drummond street, in rear by a lane eighteen feet wide, to the north-west by subdivision number fifteen (15), and to the south-east by subdivision number thirteen (13) of said lot number fifteen hundred and four (1504), are by these presents confirmed and ratified and declared valid and legal, and the said Joseph C. Beauchamp is declared absolute proprietor of the immoveable herein above in the first place described, and the said Pierre De-

mers the absolute proprietor of the immovable herein above in the second place described; the whole subject to the clauses and conditions of the said deeds of sale.

2. This act shall come into force on the day of its sanc- <sup>Coming into</sup>  
tion. <sup>force.</sup>

### CAP. CIII.

An Act respecting a certain substitution created by the will of the late Colin Campbell.

[Assented to 24th June, 1892.]

**W**HEREAS, by the will of the late Colin Campbell, in his <sup>Preamble.</sup>  
lifetime of the city of Montreal, made and passed at Montreal, before James Smith and his colleague, notaries, on the eleventh day of October, eighteen hundred and sixty-six, the said late Colin Campbell gave the usufruct of the one half of the property of which he should die possessed, to his wife, Dame Sarah Harrison, during her lifetime, and constituted a substitution upon the said property (subject to said usufruct), and named Dame Caroline Nelson, now of Côte des Neiges, in the district of Montreal, wife of Henry W. King, of the same place, first institute under the said substitution, and after her death, the eldest child born of the marriage of the said Henry W. King and Dame Caroline Nelson, and in third degree the eldest child of such eldest child;

Whereas, by the said will, the said late Colin Campbell named and appointed Matthew Campbell, Edwin Atwater and James Spier, all of the city of Montreal, executors thereof, and gave them power, in case of their renouncing, to appoint another executor in their place; and the said Matthew Campbell, Edwin Atwater and James Spier did, by act passed before the late J. S. Hunter, N.P., on the sixth day of June, eighteen hundred and seventy-three, renounce, as executors under said will, and did appoint Henry W. King aforesaid as sole executor thereof;

Whereas the said late Colin Campbell died at Montreal, on the seventeenth day of May, eighteen hundred and seventy-three, and left at the date of his death several immovable properties, and among others, a certain property situated at the corner of Union Avenue and Sherbrooke streets, in the city of Montreal, and known as number 1204 upon the official plan and book of reference of the St. Antoine Ward of the said city, bounded in front by Sherbrooke street, in rear by official number 1205, and on one side, to the south-west, by Union Avenue, and on the other