

Coming into
force.

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

CAP. CXVI.

An act respecting a certain substitution created by Joseph Beaupré *et uxore*.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS, by deed of gift *inter vivos*, passed at l'Assomption, on the 20th March, one thousand eight hundred and thirty-seven, before Chagnon and colleague, notaries, by Joseph Beaupré, senior, captain of militia, of St. Paul, county of Joliette, and Dame Thérèse Gourre, his wife, to André and Salomon Beaupré, their sons, the donors having charged the donees with a substitution of the property [including the immoveable hereinafter described] in favor of the grandchildren and great-grandchildren of the said donees ;

Whereas the succession of the said Joseph Beaupré *et uxore* consisted of the following immoveable, to wit :

“ A lot of land situate and being in the parish of St. Paul, seigniory of Lavaltrie, containing five arpents in front by forty arpents in depth, bounded in front by the north bank of the river l'Assomption, in rear by the land of one Laporte and one Beauséjour, on one side to Joseph Labrèche, and on the other side to Jean Baptiste Laporte, with a house, barn, stable and other dependencies built thereon ; three arpents of such land to belong to the said Solomon Beaupré, and the two other arpents to the said André Beaupré ;”

Whereas, by the said deed, the said substitutes were enjoined to keep the said land to them given and to return and restore the whole in good order to their children, born and to be born in lawful wedlock, and to the children of their children for ever, in the direct male line to the degree fixed by law, with power, nevertheless, to the said donees and all the substitutes to sell or exchange the whole or part of the land amongst themselves, provided such sale or exchange be made in the family and in the direct male line only ;

Whereas a portion of the said substituted property is now in the possession of Benjamin Beaupré, the son of André, who acquired the same from his brothers, in virtue of a deed of sale passed before L. Désaunier, notary, on the fourth of February, one thousand eight hundred and sixty-eight, in favor of the said Benjamin Beaupré, by Joseph Beaupré, Damien Beaupré, Emilio Beaupré, Camille Beaupré and Pierre Tancrede Beaupré, his brothers,

and of another deed of sale passed before J. B. Chevigny, notary, on the 30th October, 1888, in favour of the same, by Amédée and Théophile Beaupré, his two other brothers, and the other portion of the said immoveable is in the possession of Paul Emile Beaupré and Georges Beaupré, as the only sons and heirs of the said Salomon Beaupré;

Whereas the said Benjamin Beaupré has no male child, and doubts may arise as to the validity of the said deeds of sale, and trouble would be caused by the opening of the said substitution as regards that portion of the said property occupied by the said Benjamin Beaupré coming to him from his father André;

Whereas all the donees, who are institutes as aforesaid in the substitution of the portion of the said property coming to them from their father André Beaupré, are unanimously of opinion that, notwithstanding such substitution, the said deeds of sale should be ratified and validated;

Whereas it is expedient to grant the prayer of the said petition;

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

1. The deeds of sale cited in the preamble of this act, to wit: Certain deeds of sale ratified.

1. The deed of sale before L. Désaunier, notary, on the fourth of February, one thousand eight hundred and sixty-eight, in favour of the said Benjamin Beaupré by Joseph Beaupré and his brothers;

2. The deed of sale before J. B. Chevigny, notary, on the thirtieth day of October, one thousand eight hundred and eighty eight, in favour of the same by Amédée and Théophile Beaupré, his two other brothers;

Are ratified and declared valid to all intents and purposes, notwithstanding the substitution created by the deed of donation *inter vivos* passed at L'Assomption, on the twentieth of March, one thousand eight hundred and thirty-seven, before Maître Chagnon and colleague, notaries, by Joseph Beaupré, senior of St. Paul, county of Joliette, and Dame Therese Gourre, his wife, in favour of their sons André and Salomon Beaupré.

2. Notwithstanding the said substitution, the said Benjamin Beaupré is declared to have been and to be, to all intents and purposes, the definitive and immutable proprietor of that portion of the said immoveable, subject to the substitution, which he acquired in virtue of the deeds of sale cited in the preceding article and which he now occupies, to wit. Certain property declared to belong to B. Beaupré.

A lot of land situate in the parish of St. Paul, seigniory of Lavaltrie, in the county of Joliette, measuring two

arpents in front by forty arpents in depth, and now designated as number one hundred and fifty-one of the official cadastre of the said parish of St. Paul."

Certain property declared to belong to G. Beaupré and P. E. Beaupré.

3. The said Georges Beaupré and Paul Emile Beaupré, only sons and heirs of the said Salomon Beaupré, are declared to have been and to be, to all intents and purposes, but without prejudice to such substitution, the definitive and immutable proprietors of the other portion of the said immoveable, subject to the substitution, which they inherited from their father Salomon Beaupré, to wit:

"A lot of land situate in the parish of St. Paul, known and designated on the official plan and book of reference of the said parish as lot number one hundred and fifty-two measuring three arpents in front by forty arpents in depth ;

Proviso.

But one of them the said Georges Beaupré and Paul Emile Beaupré may acquire the rights of the other in the said lot number one hundred and fifty two, by purchase, transfer, exchange or otherwise ; and any deed to that effect shall be valid for all lawful purposes notwithstanding the said substitution.

B. Beaupré relieved from substitution.

4. The said Benjamin Beaupré is relieved from the said substitution with respect to the aforesaid immoveable of which he is proprietor, which immoveable is withdrawn from the effects of the said substitution and prohibition to sell ; and the said George Beaupré and Paul Emile Beaupré shall be equally discharged from such substitution, so soon as one of them shall have acquired the rights of the other as set forth in the preceding section.

G. Beaupré and P. E. Beaupré also on certain conditions.

Coming into force.

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

CAP. CXVII.

An Act to authorize the Protestant Board of School Commissioners for the city of Montreal to dispose of certain immoveable property, and to ratify and confirm the union of the dissentient schools of the late municipalities of the village of St. Gabriel and the town of St. Jean Baptiste with the school municipality of the city of Montreal.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS the Protestant Board of School Commissioners for the city of Montreal, a body politic and corporate, duly incorporated, and having its head office