

adjudicated upon. In consequence, the Honorable Jean Louis Beaudry introduced a Bill on the 20th January, 1875, in the Legislative Council of the Legislature of Quebec, containing provisions framed in conformity with Mr. Fraser's memorial, the practical effect of which would have been to declare the law acted upon by the Privy Council in their judgment, to have been erroneously interpreted : and after enacting that it should be construed according to the pretensions of the heirs in the action which had been dismissed, to enable them to bring the same action over again.

The Board took steps to oppose the passage of this Bill at Quebec, sending down a delegation of their own number, and employing counsel for that purpose ; and they finally succeeded in defeating the Bill.

Afterwards, namely, on the 5th day of January, 1876, Mr. John Fraser instituted a second action to set aside the Will, alleging that the Testator was *non compos mentis* at the time of its execution ; and after due contestation and discussion, this action was dismissed on the 1st day of June, 1876.

On the 7th June, 1876, the heirs served upon the Executors and Trustees, and upon the Board of the Institute, a formal printed protest against their proceeding with the trust, which protest was largely circulated.

On the 27th January, 1877, the heirs served upon the institute a special notification and protest by H. Brodie, Notary, insisting on the illegality of the judgment of the Privy Council, and protesting against the property of the trust being disposed of or dealt with according to the will.

On the 30th January, 1877, the Board, not deriving such a revenue from the St. Sacrament Street stores, as they thought should be obtained, endeavored to sell them through the instrumentality of Mr. J. J. Arnton, Auctioneer, and a considerable audience was attracted to Mr. Arnton's rooms on the occasion. But as soon as the property was announced for sale, Mr. John Fraser, accompanied by his notary, protested against the sale, notifying the audience and the Auctioneer, that the Board could give no valid title to the property ; and consequently, although the property is situate in one of the most desirable localities in the city, no bid whatever was made for it.

On the 6th March, 1877, the heirs served upon the Institute a declaration, demand, and protest by the same Notary, turning upon the same points as the last, and containing numerous charges of falsification of entries, accounts, books and documents. Also protesting against any attempt to proceed with the establishment of the Institute.

On the 31st March, 1877, the heirs served a notification and protest upon the Institute by the same Notary, notifying the President and Governors of their intentions to take further proceedings to set aside the Founder's will, and protesting against any steps being taken to carry out his intentions.

On the 23rd April, 1877, the heirs served a notification and protest upon the Institute, and upon the Merchant's Bank by the same Notary, protesting against the transfer of bank stock by the executors to the trustees in conformity with the will ; and against any action by the