

“ persons in mortmain, unless the said corporation or persons be by law entitled to accept thereof.”

3rd. The following articles of the Civil Code of Lower-Canada, now the Province of Quebec, promulgated on the first day of August one thousand eight hundred and sixty-six, article 366, respecting the disabilities of corporations, which reads as follows: “ The disabilities arising from the law are :

“ 1st. Those which are imposed on each corporation by its title, or by any law applicable to the class to which such corporation belongs.”

“ 2nd. Those comprised in the *general laws of the country respecting mortmain and bodies corporate, prohibiting them from acquiring immoveable property, or property so reputed, without the permission of the Crown, except for certain purposes only,* and to a fixed amount and value ;

“ 3rd. Those which result from the same general laws imposing, for the alienation or hypothecation of immoveable property, held in mortmain or belonging to corporate bodies, particular formalities not required by the common law.”

ARTICLE 831.

“ Every person of full age, of sound intellect, and capable of alienating his property may dispose of it freely by will, without distinction as to its origin or nature, either in favor of his consort or of one or more of his children, or of any other person capable of acquiring and possessing, and without reserve restriction or limitation, saving the restrictions, prohibitions and causes of nullity mentioned in this code, and all dispositions and conditions, contrary to public order and good morals.”

ARTICLE 836.

“ Corporations and persons in mortmain can only receive by will such property as they may legally possess.”

ARTICLE 838.

“ The capacity to receive by will is considered relatively to the time of the death of the Testator.”