

Notarial Document on 30 May 1729
by Notary Guillaume Barette dit Courville (1709-1744) of Montreal, Quebec

Distribution of parcels of real estate situated at La Prairie de La Magdeleine and Fontarabie between Marie Leber and Pierre Herve, her husband; previous wife of Francois Bourassa; to Rene, Francois, Antoine Bourassa and Marie Bourassa, wife of Jacques Pinsonno.

Fut presente en personne dame Marie LeBer veuve en premiere noces de feu Sieur Francois Bourassa ayant epouse en derriere noces le Sieur Pierre Herve son mari a ce present qu'il a suffisamment Authorise pour l'effect des presente la quelle voulant comme une bonne mere travailler et mettre ordre a toutes ces affaires temporeles avant qu'il plus a dieu de disposer de son Ame a fait assemble les Sieur Rene, Francois, Antoine Bourassa et Marie Bourassa les seuls enfants, femme du Sieur Jacque Pinsonno son mari a ce consentant qui a autorisse la dit Marie Bourassa sa dit pour l'effect qui ensuit tous majeurs ausquel la dit dame Marie LeBer a fait les partages de tous ces biens immobiliers a un chacun de ces dit enfants de leur agrement ainsi qu'il sera si apres parle afin qu'apres son decede ils n'ayant aucune difficulte ensemble pour les partages de ces dit biens immobiliers qu'elle veut bien par avance leur partager et metre a leur pouvoir afin que chacun puisse travailler et metre chacun leur par de biens en estate de pouvoir leur etre tres profitable a l'avenir ce que les dit Sieur Rene, Francois et Antoine Bourassa et la dit Marie Bourassa, avec le dit Sieur Pinsonno ont dit tous d'une commune voix quels acceptant volontier les sentiments de leur dit mere et consentent des maintenant pour toujours a toutes les clauses et conditions qui sera si d'ous? Apres parle et ainsi qu'il ensuit.

Premierement que pour parvenir aux partages de tous ces dit biens immobiliers la dit dame Bourassa veut entends et ordonne que le Sieur Rene Bourassa aura et lui appartiendra une terre de deux arpent de front sur trente de profondeur situe a Laprairie joignant sur le devant au fleuve St Laurent par derriere terre non concedes a Louis Herve d'un cote a la commune du dit lieu de Laprairie avec tous les batiments qui se trouveront construits sur y celle avec ces circonstance et dependance.

Was present dame Marie Leber, widow of the first marriage of the late Sieur Francois Bourassa, having married in her last wedding Sieur Pierre Herve, her present husband, who has sufficiently authorized her to effectuate these presents; who wanting as a good mother to work to put her temporal affairs in order before it would please God to dispose of her soul, gathered together her only children, the Sieurs Rene, Francois, Antoine Bourassa and Marie Bourassa, wife of Sieur Jacques Pinsonno her husband, consenting to this who authorized the said Marie Bourassa to effectuate that which follows; all of age of majority to whom the said Marie LeBer has made the sharing of all these pieces of real property to each of the said children, of their agreement also it will be so after talking with them so that after her decease they will have no difficulty together for the sharing of the said properties, which she wants in advance to devise to them the power so that each of them can work their properties to a state that can be very profitable to them in the future; which the said Sieurs Rene, Francois and Antoine Bourassa and the said Marie Bourassa with the said Sieur Pinsonno have all said with one voice, that they willingly accepted the sentiments of their said mother, consented now and forever to all the clauses and conditions which will be herein as below after speaking as follows.

Firstly, to achieve the distribution of the said parcels of real estate the said dame Bourassa wants, understands and directs that the Sieur Rene Bourassa will have and own two arpents of frontage by thirty deep situated in LaPrairie joining the front on the St Lawrence River, at the rear by land not granted, to Louis Herve on one side, to the Commune of the said place of LaPrairie with all the buildings constructed thereon with the circumstances and dependencies.

Le Sieur Francois Bourassa aura et lui appartiendra pour sa part et portion de ces dit biens immobiliers deux arpent de terre de front sur vingt cinq arpent de profondeur situe a la dit prairie lieu dit Fontarabie joignant sur le devant au Sieur Laprairie par derriere a la comme du dit lieu d'un cote au Sieur Jacques Pinsonno et a sa dit femme et d'autre part a un chemin public qui est le long de la dit terre avec ces circonstance et dependance.

Item que la dit dame Marie Bourassa sa dit fille aura avec son dit mari une terre aussi de deux arpents de front sur vingt cinq de profondeur situe au dit Fontarabie joignant sur le devant au dit Laprairie et par derriere a la dit Commune d'un cote au dit Sieur Francois Bourassa et autre part a leur dit terre avec les circonstance et dependance.

Et le Sieur Antoine Bourassa aura et lui appartiendra aussi pour sa part et portion des dit biens immobiliers de sa dit mere trois arpent et demi de terre de front sur trente de profondeur situe aussi au dit Fontarabie avec ces circonstance et dependance joignant sur le devant au chemin public qui est si devant par derriere terre non concede d'un cote a Claude Deno et d'autre part au Sieur Jacques Lafontaine

de toutes les dit terre si dessus partages et devise par la dit dame Marie LeBer femme du dit Sieur Herve les Sieurs Rene, Francois et Antoine Bourassa et la dit Marie Bourassa avec le dit Sieur Jacques Pinsonno son mari les ont tous de gre pleine et libre volonte chacun sa par et ont accepte et accepte par ces dit presente et en faire et disposer a l'avenir chacun ainsi que bon leur semblera en commencer la jouissance savoir les dit Sieur Francois et Antoine Bourassa et Marie Bourassa l'automne prochain apres le fin des recolte et continuer de la en avant eux leurs heirs et ayant cause tel que sera leur volonte comme de choses a eux appartenant a vrai et juste tiltre au moyen des presente et le Sieur Rene Bourassa ne jouira et disposera de sa dit part et portion de ces dit biens ainsi qu'il est mentionne si dessus qu'apres le decede de sa dit mere et du dit Sieur Pierre Herve son mari ce reservant la dame Leber l'usufruit de la dit terre pour elle et son dit mari leur vie durant sans que le dit Sieur Rene

The Sieur Francois Bourassa will have and own for his part and portion of the said parcels of real estate two arpents of land in front by twenty five arpents deep to the said meadow place called Fontarabie, joining on the front to Sieur Laprairie, in the rear to the ... of the said place on one side, to Sieur Pinsonno and to his said wife, and on the other side to a public road which runs along the said land with its circumstances and dependencies.

Item that the said Marie Bourassa, her said daughter will have with her said husband a farm also of two arpents of frontage by twenty five in depth situated at the said Fontarabie joining on the front at the said Laprairie, and at the rear to the said Commune, on one side to the said Sieur Francois Bourassa, and on the other side to the said land with the circumstances and dependencies.

And the Sieur Antoine Bourassa will have and own also for his part and portion of said real estate of his said mother three and one half arpents of land of frontage by thirty in depth situated also at the said Fontarabie with those circumstances and dependencies, joining on the front the public road hereinabove referred to, and by the rear to the land not granted, on one side to Claude Deno, and on the other to the Sieur Jacques Lafontaine.

Of all the said lands hereinabove divided and devised by the said dame Marie Le Ber, wife of the said Sieur Herve, the Sieurs Rene, Francois and Antoine Bourassa and the said Marie Bourassa with the said Sieur Jacques Pinsonno, her husband have all of their full accord and free will each his part and have accepted and do accept by these presents do make and dispose in the future, each also as he pleases to commence its enjoyment to wit, the said Sieurs Francois and Antoine Bourassa and Marie Bourassa next Autumn after the end of the harvest and continue hence to their heirs and assigns according to their wishes, as things belonging to them with true and just title by means of these presents, and the Sieur Rene Bourassa will enjoy and dispose of his part and share of the said conveyed premises such as hereinabove described until the decease of his said mother and of the said Sieur Herve, her husband, thereby reserving to dame Leber, the life use of the said land for herself and her said husband, trouble and worry free, to the said Sieur Rene Bourassa for

Bourassa puisse les trouble ni inquiette pour la jouissance tant de la dit terre que des batiments meubles, bestiaux, ustensile et autre biens mobiliers a eux appartenant desquels ils jouissent paisiblement sans que les dit Francois, Antoine et la dit Marie Bourassa et le dit Sr Jacques Pinsonno son dit mari ayant aucuns cause et raison de vouloir y pretendre les troublee aussi ni inquietter dans la dit jouissance des lots de si dessus et en cas que la dit dame Leber decedent avant son dit mari il ne jouira que de la moittie de la dit terre et apres le decede du dit Sieur Herve et de la dit dame Leber les dit parties partageront tous les biens les mobiliers entre eux ainsi qu'il appartiendra sans en faire aucune peine ni forme aucun proces a la reserve cependant de toutes les hardes et linges qui auront est a l'usage de la dit mere seront et demeureront a la dit Marie Bourassa sa dit fille en pleine propriete comme aussi apres le decede du dit Sieur Herve les hardes et linges et autres choses qui auront est a l'usage propre du dit mari seront et demeureront aux heritier sans que qui que ce soit puissent les refuser ainsi que tel est sa volonte sans que les autres parties puissent lui refuser la quatrieme parties des partages de ces dit biens mobiliers a quoi ils ont tous consenti et ont pour agreable la dit clause reserve par leur dit mere a leur soeur des dit hardes et linges si dessus exceptes.

Tous ces partages clauses et conditions ainsi fait aux charges sus dit et autres droits Seigneurial pour l'avenir et outre qu'apres le decede de la dit dame Leber leur dit Sieur Herve son dit mari leur beaupere les dit Sieur Rene et Antoine Bourassa et Marie Bourassa ces enfants seront tenus et obliges de faire inhumer et enterrer leur corps dans le cimetiere du dit lieu de La Prairie de la Magdeleine et de faire dir? A chacun separement tant a son dit mari que elle le nombre de Cent Vingt Messe de Requiem pour le repos de leur Ame sans aucun de dit entre eux et ce a leur plus grande diligence et au moyen de ce les dit Sieur Herve a cede et quitte au dit Sieur Rene Bourassa apres son dit decede ce qui pouroit avoir fait d'augmentation sur la dit terre, a est en outre convenu et accorde entre les dit parties qu'en cas le dit Sieur Herve et la dit dame Leber sa dit femme tombasse dans un age trop caduque qu'il ne puissent plus faire valoir la dit terre alors ils

the enjoyment not only of said land but also of the buildings, furniture, cattle, farm equipment and other personal property belonging to them, which they enjoy quietly without the said Francois, Antoine and the said Marie Bourassa and the said Sieur Jacques Pinsonno, her said husband, without having any cause or reason to want to pretend to trouble them, nor to worry them in said enjoyment of the hereinabove lots, and in the event that the said dame Leber should die before her husband, he will enjoy only half of the said land and after the death of the Sieur Herve and of the said dame Leber, the said parties will share between them all the goods, the personal property according to their share and begin any procedure to the reserved goods, meanwhile all the wearing apparel and clothing which will have been to the use of said mother will be and will remain to the said Marie Bourassa, her said daughter, in full property, as after the decease of the said Sieur Herve, the wearing apparel and clothing and other items which will have been to the use of the said husband will be and remain to the heirs without anyone being able to prevent them, such as is her wish without any of the other parties being able to deny him the fourth part of the distribution of the said personal property to which all gave consent and agreed to the said reserve clause by their said mother to their sister of the said wearing apparel and clothing hereinabove excepted.

All these share terms and conditions thus made to the charges stated above, and other Seigneurial rights for the future, and besides that after the death of the said dame Leber, then said Sieur Herve her said husband, their step-father, the said Sieur Rene and Antoine Bourassa and Marie Bourassa, these children will be required and obligated to tend to her funeral and burial of their bodies in the cemetery of the said place of LaPrairie of La Magdeleine, and for each separately as well for her said husband as for herself, 120 Requiem Masses for the repose of their soul with nothing more said between them and this at their greatest diligence, and through this the said Sieur Herve conveyed and left to the said Sieur Rene Bourassa after his said decease, which could have made an increase on the said land, besides it was agreed between the said parties that in the event the said Sieur Herve and the said dame Leber, his said wife, fell in a decrepit old age that they could no longer make the said land productive, then it will be

sera loisible au dit Sieur Rene Bourassa de leur consentement de prendre possession de la dit terre et en faire et disposer a sa volonte en entretenant et nourrissant par le dit Sieur Rene Bourassa sa dit mere et le dit Sieur Herve son dit beaupere tant sains que maladie le restant de leur vie selon leur estate et condition, et au cas qu'ils fussent afliges de quelque maladie longue et facheuses que le dit Sieur Rene Bourassa fut obere dans y celle, les Sieur Antoine et Marie Bourassa et le dit Sieur Jacques Pinsonno promettent et s'obliges de bailler alors chacun separement dix minots de bled au dit Sieur Rene Bourassa pour lui aider et le secourir dans ces sortes de maladie comme aussi le dit Sieur Herve et la dit Marie Leber sa dit femme veulent consente et accorde au dit Sieur Rene Bourassa des a presente a toujours qu'en cas qu'il voulut ce loger et bastir pour son utilite sur la dit terre qu'ils lui permetront de prendre une portion de terre pour son batiment a l'endroit ou il sera le plus a propos pour son besoin et qu'en cas qu'il voulut aussi faire des desert nouveaux sur la dit terre il en fera metre des usufruits avant leur decede et l'entiere possession de la totalite de la dit terre car ainsi le tout a est accorde et stipule entre les dit parties sans qu'ils soient tenus ni obliges dans faire aucune soulte ni retour de deniers par les un aux autres promettant et oblige et renoncant et fait et passe au dit lieu de Laprairie de La Magdeleine maison du Sieur Jacques Pinsonno situe au bourg de la dit Prairie l'an mil sept cent vingt neuf le trente Mai apres midi en presence de Monsieur Jouriant pretre et Cure de la paroisse du dit lieu de Laprairie et du Sieur Charles Cordonnier dem? En ce dit lieu qui ont signe ces presente avec le Sieur Herve, le Sieur Rene Bourassa et le Sieur Francois Leber tem? Et no? et la dit dame Herve a declare avec les Sieurs Francois et Antoine Bourassa, Jacques Pinsonno et la dit Marie Bourassa de ne savoir signe de ce enquis lecture faicte sur l'ordonnance

optional if willing for the said Sieur Rene Bourassa, of their consent to take possession of said land and to dispose of it as he wishes in caring for and feeding by the said Sieur Rene Bourassa, his said mother, and the said Sieur Herve, his said step-father, in health and in sickness for the rest of their life, according to their state and condition, and in the event that they should labor under some long and troublesome sickness, that the said Sieur Rene Bourassa become involved in debt as a result, the Sieurs Antoine and Marie Bourassa and the said Sieur Jacques Pinsonno promise and undertake to give to each separately ten bushels (39 litres) of wheat to said Sieur Rene Bourassa to help and assist him in these kinds of illness, as also the said Sieur Herve and the said Marie Leber, his said wife, wish consent and agree with the said Sieur Rene Bourassa from this moment on that in the event he would wish to locate and build for his use on said land, that they will allow him to take a portion of land for his building in the area most appropriate for his needs and in the event that he wished to make additional improvements on said land, he will put some profit before their decease and the entire possession of the totality of the said land, for then the whole has been agreed to and stipulated between the said parties without their being forced or required to pay anything to the other parties nor return a penny by the ones to the others promising and obliging and renouncing. Made and passed in the said place of LaPrairie of La Magdeleine at the house of the Sieur Jacques Pinsonno situated at the borough of the said Prairie, in the year 1729, on the 30th of May, in the afternoon in the presence of Monsieur Jouriant, priest and pastor of the said place of LaPrairie, and of the Sieur Charles Cordonnier living in said place, who have signed these presents with the sieur Herve, the Sieur Rene Bourassa and the Sieur Francois Leber, witnesses and notary, and the said dame Herve, declared along with the Sieurs Francois and Antoine Bourassa, Jacques Pinsonno and the said Marie Bourassa being unable to sign, as required. The reading was made in accordance with the ordinance.

SIGNATURES:

Pierre (Herve)
Jorian, priest

R. Bourassa (Rene)
G. Barette, notary

(Francois) LeBer
Charles Maurice de Lafantasie (Cordonnier)

Notes by John Fisher 30 Dec 2009:

Francois Bourassa Sr	Marie Leber (his wife)
Bn: 1659 France Wed: 4 Jul 1684 Died: 9 May 1708 in Montreal Hospital; epidemic	Bn: 6 Dec 1666 Wed: 4 Jul 1684 Died: 23 Dec 1756

Their Children:

Francois	Rene	M. Elizabeth	Frs Joachim **	Antoine
Bn: 26 Jul 1685 Bap: 30 Sep 1685 Wed: Died: 12 Aug 1708 age 23 epidemic	Bap: 21 Dec 1688 Wed: 23 Oct 1710 Marr: 28 Sep 1721 Died: 1778	Bap: 25 Feb 1695 Wed: 21 Jul 1712 Died: 20 Nov 1766	Bap: 10 Apr 1698 Wed: 10 Feb 1721 Marr. 10 Jan 1735 Died: 1778	B&b: 22 23 Mar 1705 Wed: 24 Jan 1729 Wed: 4 Apr 1731 Died: 1786

Above are the statistics on the family. Francois senior and Junior died in 1708 in an epidemic.

Marie Leber is age 63 and will live another 27 years.
 Pierre Herve died in 1736, just 7 years after this contract.
 Rene is about 41 years of age
 Marie Elizabeth is about 34 years of age
 Francois is about 31 years old (My ancestor)
 Antoine is about 24 years of age

Marie Leber gave the principal farm that they lived on in LaPrairie to her son Rene, but she and her husband continued to live there until their deaths, and were supported by Rene. Why pick Rene. He was a very successful voyager and a bourgeois. He was also the eldest child.

Can you believe that both Marie Leber and Pierre Herve asked for 120 Requiem Masses after their death? That sounds unreasonable today but maybe it was more common then. I assume that they had to pay for each Mass.

Thanks to Mr Robert Picher for his translation of this document.