

each one may pasture thereon, and to divide, in proportion to the rights of each party, the cost of the maintenance and management of the said immoveable.

Trustees how appointed. One of the trustees shall be appointed by the said Raoul DuTremblay, another by other undivided owners of the said immoveable, and the third by the two first trustees, or if such trustees do not agree, by a judge of the Superior Court upon the application of one of the interested trustees.

Certain right not affected, &c. **3.** The present act shall not affect the other rights that the owners of land described in the cadastre of the parish of Ste. Anne de la Pérade from No. 1 to No. 38 may have acquired upon the portion of the said lot No. 43 in front of their respective lands nor the rights of hunting or of salmon fishing which may belong to the heirs or legal representatives of the late Evan John Price, in virtue of the following reserve in the said authentic deed passed before P. G. Beaudry, notary, on the 23rd day of August, 1881, to wit : "The vendor nevertheless reserves in favor of the said Evan John Price, Esquire, and his heirs and legal representatives, the right of hunting or of salmon fishing by nets or otherwise, on the said common and the frontage thereof, and upon all the channels present or future upon the frontage of the said common. "

Coming into force. **4.** This act shall come into force on the day of its sanction.

CHAP. 110

An Act respecting the gift *inter vivos*, dated the 25th February, 1869, in favor of Charles Adam and his wife Dame Angéline Plouffe, by Louis Savignac, and to authorize the donees to sell the property given,

[Assented to 4th June, 1910]

Preamble. **W**HEREAS Charles Adam, farmer, and his wife Dame Angéline Plouffe, both of the parish of St. Félix de Valois, in the district of Joliette have by their petition represented:

That by deed of gift *inter vivos*, passed before Mtre. Crépeau, notary, at St. Félix de Valois, on the 25th February, 1869, and registered at Joliette under the No. 14,339, Mr. Louis Savignac, in his life-time farmer, of St. Félix de Valois, gave to Charles Adam, and his wife Dame Angéline Plouffe of the same place, a lot of land known, since the coming into force of the cadastre, as Nos. 382 and 383 of the official cadastre for the said parish of St. Félix de Valois;

That among other clauses, the said deed of gift contains the following:

“ 6. Subject to the conditions that the said donees shall keep the property hereby given, and shall hand same over at their death to their children, both born and to be born of their present marriage, the said donor substituting for that purpose to the said donees, their father and mother. In the event of pre-decease of all the substitutes in the said substitution, the donees shall be the full owners of the said property dating from the death of the said substitutes, but the donees shall in no case sell or otherwise alienate or hypothecate the said property during the life-time of the said donor, without his express written consent.”

That three daughters, namely, Angéline, Elizabeth and Marie Adam have been born of the said marriage, and are now of the age of majority;

That by deed passed before Mr. J. H. Lavallée, notary, at St. Félix de Valois, on the 30th December, 1905, and registered at Joliette under the No. 35550, the said Angéline, Elizabeth and Marie Adam, the substitutes, assigned and transferred to the institutes, their father and mother, all the rights resulting from the said substitution;

That the institutes are now very old and in delicate health, and unable to cultivate the said property and make it produce in a satisfactory and profitable manner, neither can they lease the same for a sufficient amount to provide for their livelihood and consequently the said property is more onerous than profitable;

That, for such reasons, the petitioners wish to sell the said property, in order to provide for their livelihood for the remainder of their days out of the proceeds of such sale;

That in consequence of the sixth clause above set forth of the aforesaid deed of gift, doubts have arisen as to whether the substitution extends or does not extend to two degrees beyond the institutes;

That in order to permit the petitioners to dispose of the said property, and give a perfect title therefor, and to remove all doubts as to the meaning of the said sixth clause, it is necessary that an act to that effect be passed;

That it is, moreover, evident from the terms of the said deed of gift that the donor's intention was not so much to keep the immovables which he gave to the institutes for the benefit of the substitutes, as to prevent the alienation of the said immovables in the life-time of the said donor;

Whereas the petitioners have prayed for the passing of an act to authorize them to alienate the property given by the deed of gift aforesaid, notwithstanding the substitution clause in such deed, in order to give the purchaser or any other transferee of the said property all possible security against eviction;

Whereas it is expedient to grant the prayer to that effect, contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Certain persons authorized to sell certain land, &c.

1. Notwithstanding clause 6 of the deed of gift dated on the 25th February, 1869, in favor of Charles Adam and his wife, by Louis Savignac, before Mtre. Crépeau, N.P., under No. 4756 of his minutes, which said clause 6 is contained in the preamble of this act, the donees therein mentioned are authorized to sell and validly dispose of the land described therein, and to give good and valid titles therefor to any purchaser.

Coming into force.

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

CHAP. 111

An Act to ratify a covenant between the representatives of the estate of Charles Auguste Maximilien Globensky and Dame Marie Joséphine Pelland.

[Assented to 4th June, 1910]

Preamble.

WHEREAS, the heirs of the late Charles Auguste Maximilien Globensky, namely : Dame Marie Elizabeth Globensky, of the city and district of Montreal, wife of Mr. J. Alphonse Sauvé, merchant, of the same place, the latter to authorize his wife for the purposes hereof ; Dame Dumontine Augusta Globensky, of the parish of Ste. Madeleine de Rigaud, in the district of Montreal, wife of A. deLéry Macdonald, Esquire, advocate, of the same place, the latter, both for himself and for the purpose of authorizing his wife for the purposes hereof ; Télesphore Globensky Wilson, Esquire, physician, of the parish of St. Placide, in the district of Terrebonne, acting in his capacity of trustee of the said Dame Dumontine A. Globensky, having been appointed for such purpose by the said late Charles Auguste Maximilien Globensky, by his will made before G. N. Fauteux, notary, on the 24th July, 1904, and acting also for and in the name of Dame M. Blanche Globensky, residing at Boston, in the United States, wife of Edouard T. Leprohon, agent, of the same place, by and in virtue of a special power of attorney before G. N. Fauteux, N. P., on the 29th April, 1909, the said J. A. Sauvé, acting moreover as trustee of the said Dame M. Blanche Globensky, appointed for such purpose by the said Charles Auguste