

chased to replace the same, in the event of its being sold by the said testamentary executors and even on all others that may become the property of the said estate and which may have been purchased out of the proceeds of the sale of the said immoveables.

2. Such loan shall be consented to by the testamentary executors and the curator to the said substitution, and shall bind the institutes and substitutes in the said substitution, but between the institutes and the substitutes the capital shall be payable by the substitutes and the interest by the institutes. Persons to consent to said loan.

3. The testamentary executors shall be bound to use the borrowed money in effecting changes and improvements to the said property, but the lender or lenders shall not be bound to see to the employment of the money. Application of borrowed money.

4. The testamentary executors shall, out of the funds of the said estate, pay all costs, disbursements and advocates' fees incurred for the passing of this act. Costs of this act.

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

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## CHAP. 170

An Act to authorize Francis Monette to sell certain substituted property.

[Assented to 25th April, 1908]

**W**HEREAS Reverend Joseph Placide Desrosiers, parish priest of the parish of St. Pierre-aux-Liens ; Francis Monette, physician ; Pierre Desforges, contractor, both of the city and district of Montreal, and Pascal Lemieux, of the parish of Notre-Dame de Grâces, in the said district, have, by their petition, represented that by will passed before M<sup>re</sup> Schetagne, on the 21st January 1902, the late Jeremie Monette gave to François Monette (called in the will Pierre *alias* Pit) the enjoyment and usufruct of a lot of land containing twenty-five arpents, forming part of lot number one hundred and thirty of the official plan and book of reference of the municipality of the parish of Montreal, and that he substituted his children to be born in legitimate marriage; Preamble.

That it is in the interest of the parish of St. Pierre-aux-Liens and of the said substitution that their said land should be sold;

Whereas the curator to the said substitution has approved of the passing of this act and that a family council has advised it and their advice has been homologated by the prothonotary of the Superior Court, at Montreal, and that it is expedient to authorize the sale of said immoveable;

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

F. Monette  
authorized  
to sell certain  
property.

1. The said Francis Monette, institute under the terms of the will of the late Jeremie Monette, may, with the assistance of the curator to the substitution, sell, wholly or in part, subject to the rights of the Reverend Abbé Daignault, mentioned in the said will, for cash or on instalments, that part of lot number one hundred and thirty of the official plan and book of reference for the municipality of the parish of Montreal, which was bequeathed to him as institute under the said will, receive the money coming from such sale or sales and give good acquittances to the purchaser or purchasers, but nevertheless he shall upon receipt of such money deposit the same in trust in accordance with paragraph 5 of article 953a of the Civil Code of the Province of Quebec, or shall invest the same in accordance with the provisions of article 953a of the said Civil Code, and any purchaser shall be free of the obligation of seeing to such investment from the moment that it has been made in conformity with the provisions of paragraphs 3 and 4 of the said article 953a or that it has been deposited in the hands of the prothonotary of the Superior Court, at Montreal, in conformity with paragraph 5 of the same article.

Coming into  
force.

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

## C H A P . 171

An Act respecting a gift *inter vivos*, dated the 25th February, 1892, in favor of Joseph Menard and others by Joseph Maxwell and relieving the donees from the prohibition to alienate.

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS, Joseph Menard, Dorimaine Maxwell his wife, and Joseph Octave Lionel Ménard, their son of age, all three of the parish of St. Gabriel de Brandon, in the district of Joliette, have by their petition represented : that they are the donees of a lot of land situated in the township of Brandon,