

the sum of eleven hundred and twenty-four dollars and fifty-three cents paid by him in cash to said curators.

4. The present conveyance is further made in consideration of the issue by the said company to the vendor in trust for the subscribers to stock in the said company of two hundred and eighty fully paid up shares in the said company and the payment of twenty-one thousand dollars in cash.

The purchaser acknowledges to have received certificates for two hundred and eighty fully paid up shares in the said company and cheques of the purchasers for twenty-one thousand dollars, whereof quit.

THUS DONE AND PASSED, at the said city of Montreal, on the twenty-third day of February, eighteen hundred and ninety-eight, and remaining of record in the office of the undersigned notary, under the number five thousand, nine hundred and ninety-seven ; and, after due reading hereof, the parties signed in presence of said notary.

(Signed) JAS. ELLIOT,
ROBT. FORSYTH, *President*.
JOHN DUTHIE, *Secretary*.
H. S. HUNTER, *N. P.*

A true copy of the original hereof remaining of record in my office.

H. S. HUNTER, N. P.

CHAP. 135

An Act to validate the sale by the heirs of L. T. Macpherson to N. G. Kirouac and W. C. Kirouac

[Assented to 25th April, 1903]

Preamble.

WHEREAS Napoléon Georges Kirouac and Wilbrod Cyrille Kirouac, both of the city of Quebec, merchants and brokers, have, by their petition, represented :

That an authentic deed of sale was passed, at Quebec, on the 14th January, 1903, by which Dame Ellen Macpherson, wife of George Henshaw Holt, of Lachine, near Montreal, gentleman ; Dame Ellen Georgiana Burnham Holt, wife of St. George Knight, of Lachine ; Dame Margaret Cecilia Holt, wife of Walter John Stethem, of the city of Montreal, all

duly authorized by their said respective husbands, and Miss Mabel F. Hervey, of Lachute, spinster of lawful age and *sui juris*, sold to the said Napoléon George Kirouac and Wilbrod Cyrille Kirouac, for the sum of seven thousand, eight hundred and twenty-four dollars, a lot of land and premises, forming part of subdivision number one of lot number two thousand and ninety-eight (2098) of the official cadastral plan and book of reference thereto of St. Peter's Ward, in the said city of Quebec, as fully described in the said deed of conveyance and sale, being number 5179 of the minutes of W. Noble Campbell, notary public, passed, at Quebec, on the 14th January, 1903 ;

That the said vendors, mentioned in the deed of sale, were, and still appear to be the only parties interested under the will of the late Laughlan Thomas Macpherson, in his lifetime of the city of Quebec, notary, made before E. B. Lindsay and colleague of the city of Quebec, on the 15th April, 1868 ;

That the said immoveable formed part of the real estate of the succession of the said Laughlan Thomas Macpherson and that doubts have arisen as to the validity of the said sale ;

Whereas the petitioners have prayed that an act be passed, to remove such doubts, and it is expedient to grant their prayer ;

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

1. The authentic deed of sale, passed before W. Noble Campbell, notary public, on the 14th of January, 1903, as number 5179 of his minutes, between the heirs L. T. Macpherson and Napoléon G. Kirouac and W. Cyrille Kirouac, and reproduced in the annexed Schedule, is hereby ratified and declared valid to all intents and purposes.

Deed of the
14th January,
1903, de-
clared valid.

2. The purchasers shall pay the purchase price, and interest accrued thereon up to the date of the coming into force of this act, to the Royal Trust Company of Montreal, to be administered and disposed of by them, in accordance with the terms of the will of the said late Laughlan Thomas Macpherson, and such payment shall free the purchasers from all future liability, and give them a full and complete quittance and discharge.

Payment of
purchase
price and
interest
thereon.

Effect there-
of.

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

Coming into
force.

SCHEDULE

BEFORE ME, the undersigned, WILLIAM NOBLE CAMPBELL,
notary public for the Province of Quebec, in Canada,
residing in the city of Quebec,

PERSONALLY CAME AND APPEARED :—

Dame ELLEN MACPHERSON, wife of George Henshaw Holt,
of Lachine, near Montreal, in the Province of Quebec,
Gentlemen, Dame ELLEN GEORGINA BURNHAM HOLT,
wife of St. George Knight, of Lachine aforesaid, account-
ant, Dame MARGARET CECILIA HOLT, wife of Walter
John Stethem, of the city of Montreal, and the
said GEORGE HENSHAW HOLT, ST. GEORGE KNIGHT and
WALTER JOHN STETHEM to authorize respectively their
wives hereinbefore named, and Miss MABEL F. HERVEY,
of Lachute, near Montreal, spinster of lawful age and
sui juris,

Of the first part ;

AND

NAPOLÉON GEORGE KIROUAC and WILBROD CYRILLE KIROUAC,
both of the said city of Quebec, merchants and brokers,

Of the second part,

WHICH SAID PARTIES HAVE this day declared, covenanted
and agreed together as follows :

Whereas the late Laughlan Thomas MacPherson, in his
lifetime of the parish of St. Roch of Quebec, notary, in and
by his last will and testament received before Errol Boyd
Lindsay and his colleague, notaries, at the said city of
Quebec, on the fifteenth of April, eighteen hundred and
sixty-eight, gave and bequeathed unto his three children, to
wit : Daniel Macpherson, the late Margaret Holt (by her
maiden name Macpherson) and the said Ellen Holt (by her
maiden name MacPherson) the usufruct, use and enjoyment
of all the said Laughlan Thomas Macpherson's real or im-
moveable property, to have and to hold the same in equal
shares between them and for and during their natural lives,
subject to the charges and conditions as in the said will set
forth ;

And whereas the said testator further declared in his said
will that, as to the property, *domaine de propriété*, of his said
immoveable estate, the usufruct of which was given to his
said three children as before mentioned, he gave and be-
queathed the same to the children of his said son and

daughters, being his grandchildren, to be had, held and shared between them by families and not by heads, the females however in each family excluding the males, and the said testator did further will and direct that, on the death of any or either of his said children, the child or children of the one so dying, the females excluding the males as aforesaid, should represent his or their father or mother so deceased in the usufruct, use and enjoyment aforesaid, and should have and hold the same until the death of the survivor of his said three children, and on the same conditions as were thereinbefore imposed upon his said children ;

And whereas the purchasers are of the opinion that in and by his said will the said late Laughlan Thomas Macpherson practically created a substitution in favour of his female grandchildren or their children, and the vendors, without admitting or denying said proposition, are willing that the present sale be confirmed as hereinafter stated ;

And whereas the said late Daniel Macpherson is now represented by the said Mabel F. Hervey, sole surviving issue of his only daughter, the said late Margaret Holt, by the said Ellen Georgiana Burnham Knight and Margaret Cecilia Stethem, her two daughters, and the said Dame Ellen Holt is the sole surviving child of the said late Laughlan Thomas Macpherson ;

And whereas it has been deemed expedient and advantageous, and in the interests of all concerned, to sell the immoveable property hereinafter described, belonging to the estate of the said late Laughlan Thomas Macpherson, for the price or consideration hereinafter mentioned.

And whereas, in order to assure unto the said parties of the second part a good and valid title to the property hereinafter described, the said parties of the first part have agreed to the execution of these presents as hereinafter set forth, subject to the ratification of the same by an act of the Legislature of this Province as soon as possible, which act will be applied for by the purchasers and at the expense of the purchasers ;

NOW THESE PRESENTS and I the said notary witness that the said parties hereto of the first part (hereinafter styled the vendors) did and do hereby sell, convey and make over, with warranty against all troubles and incumbrances whatsoever, unto the said parties of the second part (hereinafter styled the purchasers) accepting thereof, the following described property, that is to say :

All that certain lot of land and premises forming part of subdivision number one of lot number two thousand and ninety-eight (2038-1) of the official cadastral plan and book of reference thereto of St. Peter's ward, in the said city of Quebec, the said lot hereby sold being bounded in front to

the west by St. Peter street, in rear to the east by the easterly portion of said lot subdivision number one (2098-1), on oneside to the north by subdivision number two (2098-2), and on the other side to the south by lot number two thousand and ninety-nine (2099) of said cadastral plan, measuring the said lot hereby sold, forty-eight feet in width by fifty-four feet and four inches in depth, and containing two thousand, six hundred and eight feet, English measure, in superficies, subject to all rights of view given to Boisvert by deed of sale to him from said parties of the first part, the said lot as shown upon the plan hereunto annexed, signed by the parties hereto and by me the said notary, *ne varietur*, together with the building on said lot.

To have and to hold the said property, together with all rights, privileges and appurtenances thereunto belonging, unto them the said purchasers, to their own proper use and benefit, with possession thereof from the first of February next (1903).

The present sale is made subject to the ratification thereof by an act of the Legislature of this Province, to be obtained as soon as possible, until which time the said purchasers agree to pay interest on the purchase price as hereinafter stated, and also subject to the payment in future by the said purchasers of all dues, taxes and assessments, warranted free and clear of the same up to the first of May next (1903).

The present sale is further made for and in consideration of the price or sum of seven thousand, eight hundred and twenty-four dollars (\$7,824), being at the rate of three dollars for each square foot in superficies as above described of said property, it being hereby agreed and understood that the said purchasers shall pay interest at the rate of five per cent. per annum from the first of February next (1903) unto the said vendors, on the capital sum aforesaid, until such time as a bill shall have been duly passed by the Legislature of the Province of Quebec authorizing and confirming the present sale, and upon the passing of such bill the said capital and accrued interest shall then be paid, according to the terms of the said bill, to the curator.

And for securing the payment of the said sum of seven thousand, eight hundred and twenty-four dollars and interest, the said purchasers do hereby mortgage and hypothecate the above described property to and in favour of the said vendors, who do hereby reserve their privilege of *baillleurs de fonds* upon the same.

THUS DONE AND PASSED, at the town of Lachine as respects the said Ellen Holt, George Henshaw Holt, Ellen Georgiana Burnham Knight and St. George Knight; at the town of Lachute as respects the said Mabel F. Hervey; at the said city of Montreal as respects the said Margaret Cecilia

Stethem and Walter John Stethem, all parties of the first part, and at the said city of Quebec as respects the said parties of the second part, these presents being recorded in the office of me the said notary under the number five thousand, one hundred and seventy-nine.

IN WITNESS WHEREOF, the said parties have signed these presents with and in presence of me the said notary, that is to say, the said Ellen Holt, George Henshaw Holt, Ellen Georgiana Burnham Knight and St. George Knight at the town of Lachine aforesaid on the 10th day of January, in the year one thousand, nine hundred and three, the said Mabel F. Hervey at the town of Lachute aforesaid on said tenth day of January one thousand nine hundred and three, and the said Margaret Cecilia Stethem and Walter John Stethem at the said city of Montreal on said tenth day of January in the year one thousand, nine hundred and three, and the said parties of the second part at the said city of Quebec on the fourteenth day of January in said year (1903), these presents being first duly read according to law.

(Signed) ELLEN HOLT,
GEO. H. HOLT,
ELLEN G. B. KNIGHT,
ST. GEORGE KNIGHT,
MARGARET CECILIA STETHEM,
WALTER JOHN STETHEM,
MABEL F. HERVEY,
NAP. G. KIROUAC,
W. C. KIROUAC,
W. NOBLE CAMPBELL,
Notary Public

A true copy of the original hereof remaining of record in my office.

W. NOBLE CAMPBELL,
Notary Public
