



63 VICTORIA

CHAP. 109

An Act to authorize the tutor and subrogate tutor to the minor children of Flavien Filiatrault, with the consent of those who are of age, to sell the lands belonging to the succession of the late Narcisse M. Lecavalier and of Marie Emélie Crevier, his wife

[Assented to 23rd March, 1900]

WHEREAS Jules Aimé Maucotel, deputy registrar, Preamble.
of the city of Montreal, in his quality of tutor duly appointed in law to Marie Anne Josephine Filiatrault, Marie Henriette Eugénie Filiatrault, Antoine de Padoue Flavien Filiatrault, and François Jean Henri Louis Decelles Filiatrault, minor children, issue of the marriage of Flavien Filiatrault, in his lifetime registrar of the said city of Montreal, with the late Dame Marie Eugénie Decelles, his wife, has, by petition, represented :

That the minor children of the said Flavien Filiatrault, issue of his marriage with the said late Marie Eugénie Decelles, are the substitutes under the substitutions created by the will of the late Dame Emélie Crevier, made before Maître Pérodeau, at Montreal, the 12th November, 1878, and also by the will of the late Narcisse M. Lecavalier, made at Montreal, before Maître Bélanger, notary, the 31st October, 1891 ;

That the said substitutions are now open, and that one of the said children is now of age ;

That the immoveables affected by the said wills have been divided into building lots and that the costs of obtaining

judicial authorization for each sale are ruinous to the said successions, and that it is to their interest to be exempted from the same ;

That it has been represented and satisfactorily shewn that it is greatly in the interest of the said minors that the lands belonging to the said successions be sold, without judicial formality, to the best advantage ; and whereas the Legislature has already pronounced on the advisability of selling the property of the said substitutions by the act 56 Victoria, chapter 95 ;

Whereas it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec enacts as follows :

Authority given to sell certain property.

1. The tutor and subrogate tutor to the minor children, issue of the marriage of the late Dame Marie Eugénie Decelles with Flavien Filiatrault, may, without any judicial formality, sell, exchange, transfer, make over, hypothecate, or otherwise alienate, for cash or on credit, the estate and immoveable property of the successions of the late Narcisse Maximilien Lecavalier and of the late Marie Emélie Crevier, his wife, as well as the price resulting therefrom.

Power to grant discharges, &c.

The tutor and subrogate tutor may also receive the price of sale and give the required acquittances, releases and discharges therefor, with or without payment, and consent to all transfers and subrogations, with or without warranty, for the purchase of estates or other purposes.

Tutor, &c., to act with children of age.

In every case, the tutor and subrogate tutor must contract jointly with the said children of age or their representatives appointed judicially or by will.

Investment of proceeds, &c.

2. The proceeds of the sale and all other sums coming from the said property shall be invested under the provisions of articles 981o and following of the Civil Code.

Coming into force.

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

QUEBEC : Printed by CHARLES PAGEAU, Printer to the Queen's Most Excellent Majesty.