

Sale of prop-
erty of the
estate au-
thorized un-
der certain
conditions.

1. Notwithstanding the provisions of the will of the late Anne Kelly, widow of the late Martin Foy, received before J. G. Crebassa, notary and witnesses, on the 10th December, 1871, the heirs at present in possession of the property of her estate are permitted to sell such portion of her property, to the amount of the debts legitimately incurred up to date and the costs thereon incurred to provide for the same, for and in the interests of the children of the late Martin William Foy, provided :

(a) That Mrs. Susannah Foy, wife of Albert Gundlack, consents thereto ;

(b) That the amount of the said debts and costs, to be paid out of the proceeds of the sale, be established and proved to the satisfaction of a council of the relatives of said minors ;

(c) That such family council declare that such sale is necessary in the interests of the minors ;

(d) That the advice of the said family council be homologated by a judge of the superior court, in the district of Richelieu, and that the latter do order such sale ;

(e) That the judge's order do indicate what debts and costs above-mentioned are to be paid, and what property shall be sold for this object ;

(f) That the sale be made with all the formalities required by law for the sale of the property of minors and with such as the judge may order ;

(g) That the proceeds be remitted to the prothonotary of the superior court in the district of Richelieu, and that they be paid by him in discharge of the said debts and costs.

Coming into
force.

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

C A P. C I

An act respecting the estate of the late Charles Lamothe.

[Assented to 10th March, 1899.]

Preamble.

WHEREAS Jacques Cartier and Virginie Cartier, both of the parish of St. Antoine, in the district of Richelieu, have by their petition represented :

That they are proprietors in possession of ten-seventeenths of the constituted rents established in the name of the succession of the late Charles Lamothe, in his lifetime bailiff, of the parish of St. Denis, as being the only children and heirs of the late Antoine-Côme Cartier, in his lifetime notary, and of the late Dame Josephite Cartier, their father and mother, who died intestate ;

That the said late Antoine-Côme Cartier and Joseph Cartier, being common as to property, were proprietors of that portion of the said constituted rents as established by a deed of rendition of account passed before A. M. Archambault, notary, on the fifth March, 1883, and by a deed of rendition of account passed by J. U. Marcotte and his colleague, notaries, on the twenty-fourth day of October, 1865, and other documents ; but that, by their death that portion of the said constituted rents was transferred to the said Jacques and Virginie Cartier ;

That the rights of the said Jacques and Virginie Cartier, in and to the said constituted rents, consisting in ten-seventeenths of such rents, as established by the said deeds of rendition of account, by the title deeds of such rents and other documents, have been admitted by the other heirs of the said late Charles Lamothe in virtue of the said deeds of rendition of account, and by the persons owing such rents under renewal-deeds to that effect.

Whereas, in the interest of the debtors as well as of the creditors of the said constituted rents, it is desirable that the said Jacques and Virginie Cartier be authorized to collect such constituted rents ; to receive the capital thereof in the event of its being paid ; to give valid acquittances for the same, to ratify those already given and to institute suits for the recovery of such constituted rents in default of payment, the whole for ten-seventeenths of the said rents ; and whereas it is expedient to grant the prayer of the said petitioners ;

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

1. The said Jacques and Virginie Cartier or their representatives may withdraw and collect ten-seventeenths of the unpaid constituted rents belonging to the succession of the late Charles Lamothe set forth in a deed of rendition of account passed by A. M. Archambault, notary, on the fifth day of March, 1883 ; in the event of the payment of the capital of such constituted rents, to receive the same and give valid acquittance therefor ; to ratify those already given and to institute suits for the recovery of the said constituted rents in default of payment,—the whole for ten-seventeenths of the said constituted rents.

Power given to collect certain portion of constituted rents of Lamothe estate.

2. The payment of such constituted rents and the capital thereof to the said Jacques and Virginie Cartier to the extent of ten-seventeenths thereof, shall to all intents and purposes relieve the debtors of such rent to the same extent.

Effect of payment, &c.

3. This act shall come into force thirty days after its sanction.

Coming into force.