

CAP. XC.

An Act respecting the immoveable property of The
Trafalgar Institute.

[Assented to 9th January, 1897.]

WHEREAS The Trafalgar Institute, incorporated by the Preamble.
act of the Province of Quebec, 35 Victoria, chapter 43,
which act was amended by the acts 36 Victoria, chapter
68; 46 Victoria, chapter 66, and 49-50 Victoria, chapter 65,
have, by their petition, represented:

That the late Donald Ross, by his will, before William Ross and H. B. Wright, notaries, dated nineteenth March, one thousand eight hundred and sixty-seven, and codicil thereto, before William Ross and J. B. Houle, notaries, the fifteenth November, one thousand eight hundred and seventy-six, amongst other things, bequeathed to certain trustees, therein named, an immoveable property on the south-eastern slope of the Mountain at Montreal, fronting on Côte des Neiges road, and known as "The Trafalgar Property," in trust, so soon as the accumulated revenue of such property and the residue of the testator's estate and property, and such donations and bequests as might be given by other parties for the purposes in the said will and codicil set forth, should amount in value to one hundred thousand pounds currency, after payment of certain legacies, debts and expenses, for the purpose of establishing and maintaining on the aforesaid Trafalgar property a seminary for the education and training of the middle or higher ranks of female society, the whole subject to the several conditions, limitations and provisions in the said will declared;

That the said Trafalgar Institute are now vested with the said Trafalgar property, and have been authorized, to wit: by the several acts hereinabove referred to, to establish a seminary for young girls elsewhere than on the said Trafalgar property, and without waiting until the accumulation of one hundred thousand pounds, as in the said will and codicil set forth;

That the said institute have established, and are now maintaining a seminary for young girls at Montreal, but not upon the said immoveable property hereinabove referred to, which is of great educational advantage, but require further funds for the proper maintenance and extension of the same;

That the said Trafalgar property is of very little available use to the said institution, and brings in little or no revenue, but could be advantageously sold or hypothecated, and considerable revenue derived therefrom in consequence, should the Institute be permitted to so sell or hypothecate the same;

That a roadway has been established between the said Trafalgar property and that belonging to Dame M. E. Robertson, on the north-west side of the said Trafalgar property, for the common use of the said properties, and for the establishment of which the said Trafalgar Institute require the sanction of the Legislature;

That the said Trafalgar property is now known upon the official plan and in the book of reference for the village of Côte des Neiges, as being the greater part of lot number 169, bounded in front by the Côte des Neiges road, to the south-east and south by the property of the Seminary of St. Sulpice, and on the north-west by the said piece of land laid out as a roadway;

Whereas the said Trafalgar Institute have prayed for authority to sell or hypothecate the said immoveable property and for the ratification of the establishment of the said joint road;

And 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:

Certain property vested in Institute.

Institute authorized to sell the same.

Application of purchase price.

1. The said The Trafalgar Institute are declared to be legally vested with the said immoveable property, comprising the greater part of the lot of land known upon the official plan and in the book of reference of the village of Côte des Neiges, by the number 169, bounded on the front by the Côte des Neiges road, on the south-east and south by the property of the Seminary of St. Sulpice, and on the north-west by a piece of land forming a roadway between the said property of the Institute and that of Dame Margaret E. Robertson, wife of J. A. L. Strathy, the said piece of land forming a roadway having a width of sixty feet, English measure, at the Côte des Neiges road end, and a varying width of about sixty feet, English measure, more or less, and extending from the Côte des Neiges road to the lands of the municipality of Westmount, and which said immoveable property belonging to the said Institute, the said The Trafalgar Institute are hereby authorized to sell, either *en bloc* or in lots, as they may deem best, and for such price or prices as may be agreed upon, and to receive the purchase price, the purchasers not being held to see to the application thereof, and the said Institute are hereby also authorized, should they deem fit, to hypothecate the said property, either in whole or in part, on such terms as may be agreed upon; the hypothecary creditors to be exempted from seeing to the application of the moneys secured by such hypothecs; the moneys arising from the said sale or sales, and from the said hypothec or hypothecs to be used for the purposes of the said Institute.

2. The deed executed before E. H. Stuart, notary at Montreal, dated the 10th November, 1896, and registered in the registry office for the counties of Hochelaga and Jacques-Cartier, on the 13th November, 1896, under the number 64,404, by and between the said The Trafalgar Institute and the said Dame Margaret E. Robertson, wife separate as to property of the said James Alexander L. Strathy, by which a roadway is established between their respective properties, is hereby declared valid and legal, and the provisions thereof confirmed.

Certain deed
of 10th No-
vember, 1896,
confirmed.

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

Coming into
force.

CAP. XCI.

An Act to confirm the sale of a certain immoveable to Antoine Robert.

[Assented to 9th January, 1897.]

WHEREAS Adolphe *alias* Rodolphe Robert, the institute in the substitution hereinafter mentioned, Pierre Lamy, curator to the said substitution, and Antoine Robert, all of the city of Montreal have, by their petition, represented : Preamble.

That by the act 43 Victoria, chapter 82, the Legislature of this Province, for certain special reasons set forth in the preamble to the said act, authorized Adolphe *alias* Rodolphe Robert to sell a property given to him by his father, subject to substitution ;

That, on the 14th February, 1896, the said Adolphe *alias* Rodolphe Robert, the substitute, assisted by the curator to the substitution, Pierre Lamy, after having caused the value of the said property to be established by two sworn experts, who valued the same at eleven thousand dollars, and after having obtained the advice and approval of a family council, as well as the permission of a judge of the Superior Court, in accordance with the said act, sold the said property, with the usual warranties, to Antoine Robert for the sum of eleven thousand dollars ;

That it was stipulated that, out of the said amount, the purchaser should pay : 1. one thousand three hundred and twenty-four dollars and fifty cents, the amount of the capital of a loan made on the 4th of June, 1892, by the estate of the Honourable Louis Renaud to the said substitute and curator judicially authorized, besides the sum of one hundred and eleven dollars and ninety-four cents, for interest due on such loan, at the time of the sale ; 2. one thousand dollars, the capital of an obligation consented, by the said institute and curator judicially authorized, to Isaie Dumont, on the 5th October, 1893, for money loaned,