

Beaujeu, her husband, and the curator to the substitution established by the will of the latter, are authorized to sell, by onerous title, by mutual consent, in whole or in part separately or together, by lots or fractions of lots, the lands above described, by first obtaining permission, for each such sale, from a judge of the Superior Court of the district of Montreal, under such conditions as he may deem advisable to determine.

2. The said Dame Henriette Lamothe, in her quality ^{Application of proceeds.} aforesaid, and the said curator shall receive and collect the proceeds of such sales, and shall be obliged to invest the same in accordance with the provisions of articles 981o, 981p, 981q, and 981r of the Civil Code respecting the investment of moneys belonging to other persons.

3. This act shall come into force on the day of its sanc- ^{Coming into force.} tion.

C A P . L X X X V I I I .

An Act respecting the estate and succession of the late George Childs.

[Assented to 21st December, 1895.]

WHEREAS George Allen Childs, Henry Martyn Childs, ^{Preamble.} Alfred William Childs, all of the city and district of Montreal, and Charles Read Childs, of Minneapolis, in the State of Minnesota, one of the United States of America, and Edward Arthur Childs, of the city of Boston, in the State of Massachusetts, one of the said United States of America, have, by their petition, represented :

That the late George Childs, in his life-time of the city of Montreal, departed this life on the fourteenth day of April, eighteen hundred and ninety-five, leaving an holograph will, dated at Montreal the twentieth of October, eighteen hundred and ninety-three, and a codicil thereto, dated at Valois the twenty-first of July, eighteen hundred and ninety-four, which have been duly probated before the prothonotary of the Superior Court for the district of Montreal on the sixteenth day of April, eighteen hundred and ninety-five, and under which they, the said George Allen Childs and Edward Arthur Childs, were named executors ;

That in and by the terms of the said will, after certain bequests, the said late George Childs devised that his estate should be evenly divided among his sons, the said George Allen Childs, Henry Martyn Childs, Alfred William Childs, Charles Read Childs, and Arthur Edward Childs, all of the

age of majority,—the shares of those other than the executors however, apart from a sum of five thousand dollars, to be invested by the said executors in improved revenue-producing real estate in such sons' names without right to sell or incumber, or without the same or the revenue therefrom being subject to any attachment or judgment until such sons should severally have attained the age of forty-five years,—and ordered that, in the event of their dying before that period, the widow should receive the revenues during her life-time, unless she remarried, when the revenues should be held by the executors for the benefit of the children until they were twenty-one years of age, when the property should be divided ;

That no power is given to the executors to sell the real property comprised in the whole estate, nor to sell any real estate that may form the investment for the sons who do not get their share until they arrive at the age of forty-five years, and reinvest the same ; and, that, seeing the possible rights of the widows and children of the said sons, all confusion would be avoided in having the investments for the said sons or widows and children, stand in the name of the said executors ;

That by the will, the executors were instructed to close up the testators' business within two years, and that it might be in the interest of the estate if the said executors were authorized to sell the same by public or private sale in lots or *en bloc* or by tender ;

Whereas it is prayed that authority be given the executors, or their successors, to sell by public or private sale, the whole or any part of the real property of the said estate, without the consent of the beneficiaries under the said will, and to make, in the name of the said executors, the investments for the said sons' shares who do not receive the same until they attain the age of forty-five years, or for the benefit of their widows or children, and to sell, from time to time, such investments, and make reinvestments thereof for the purposes mentioned in the said will ;

And whereas, as appears by the said petition, all the said sons have given their consent in writing thereto at the foot of the said petition, and it is expedient to grant the said prayer ;

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

Executors authorized to sell, &c., property.

1. The said executors, under the will of the late George Childs and their successors, are authorized to sell and convey, by public or private sale, on such terms and conditions as they may see fit, for cash or with delay for the payment of the whole or part of the purchase price, the whole or any part of the real estate, and to distribute the

proceeds thereof under the terms of the said will and in accordance with this act.

2. The said executors are authorized to invest the shares of the said sons in the said estate in improved real estate, which will bring in revenue, or in first mortgages or hypothecs on improved real estate, in their own names, and, from time to time, to sell such investments, and, in their own names, reinvest the same as provided in the said will, but only upon obtaining the consent of the son or sons interested in such real estate, and after the death of any son before attaining the age of forty-five, to make such sale and reinvestment alone, without other consent. Investment of proceeds.

3. The said executors are hereby empowered to sell the business and moveables appertaining thereto, heretofore carried on by the said late George Childs, by public or private sale, or by tender for cash or on giving delay for the whole or part payment, in parcels or *en bloc*, the whole as to them may seem best; provided that in the event of any credit for any balance being given, the executors shall require sufficient security for the payment of such balance. Sale of business and moveable property.

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

C A P . L X X X I X .

An Act respecting the sale of certain property, part of the intestate succession of the late Duncan Finlayson.

[Assented to 21st December, 1895.]

WHEREAS Sarah Finlayson, widow of the late Roderick Finlayson, in his life-time of Vancouver, British Columbia; Mary Finlayson, of the same place; C. W. R. Thomson and Arthur W. Jones, all of Victoria aforesaid, in their quality of executors and trustees of the last will and testament of the said Roderick Finlayson, of date the eleventh of June, eighteen hundred and ninety, and the said Mary Finlayson personally, have by their petition, represented: Preamble.

That they are interested in and owners in *indivis* of a certain property being and situated in the city of Montreal, and known and designated on the official plan and book of reference of the Saint Antoine ward as number seventeen hundred and seventy-nine, having three dwelling-houses, together with outhouses and dependencies thereon erected, and known as numbers one, two and three Prince of Wales Terrace;