

brother Fleury, for two equal sums of six hundred dollars each, by deed passed, in the town of Nicolet, on the 27th June, 1892, before Mtre H. R. Dufresne, notary ;

Whereas, by reason of the terms in which the said last mentioned deed is drawn, the petitioner has indirectly acknowledged, in favor of Théophile David and of the heirs of Fleury David, rights of property in the land received by him in exchange from the Reverend Sisters of the Sacred Heart, and that consequently there is a doubt as to the title to the property ;

Whereas, when the said deed was passed, two minor children and an insane child of the said Fleury David were represented by their mother, without any regular authority ;

Whereas the said transaction was made in good faith and regularly accepted by all the interested parties of age ;

Whereas it is necessary to remove the doubt resulting from the above mentioned deed of 27th June, 1892 ;

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

1. The deed of sale, passed in the town of Nicolet, on the ninth day of June, eighteen hundred and ninety-two, before Honoré Rivard Dufresne, notary, between Joseph Louis David, farmer, and Théophile David, his brother, and the heirs of Fleury David, his other brother, is declared valid and legal to all intents and purposes.

Certain deed
of sale ratified

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

Coming into
force.

C A P. X C V.

An Act concerning the substitution established by François Guenette and Aurélie Beaudry, his wife.

[Assented to 8th January, 1894.]

WHEREAS Dame Delphine Guenette, a member of the religious community called the *Sœurs Grises* of St. Albert, in the North-West Territories, and François Guenette, advocate, of Little Spaska, in the State of California, one of the United States of America, and Miss Malvina Guenette, spinster ; Dame Marthe Guenette, widow of Urgèle Renaud ; H. P. Labelle, in his capacity of tutor to his two minor children Laura and Angelina Labelle, and Alfred Guenette, agent, all of the city and district of Montreal, have, by their petition, represented :

Preamble.

That, by the will of the late François Guenette, in his lifetime of the city and district of Montreal, gentleman, and by deed of acceptance thereof by Dame Aurélie Beaudry, his wife, as well as by deed of donation by the latter to her children, the latter deed passed before H. A. A. Brault, notary, on the twenty-eighth of September, eighteen hundred and eighty-three, and registered on the twenty-first of November, eighteen hundred and eighty-three, the said François Guenette and Dame Aurélie Beaudry disposed of their personal and real estate by giving the enjoyment and usufruct thereof to their children, born and to be born, and the ownership to the children of the latter or their representatives ;

That, in virtue of the said deeds, the persons above named and Dame Marie Louise Guenette, wife of Joseph Achille Pinard, civil service employee, of the city of Ottawa, are the institutes in the said substitution ;

That the only immoveable properties left by the said François Guenette and Dame Aurélie Beaudry at their death, constituting the object of the said substitution, were the following :

(a). A lot of land with buildings thereon, designated, on the official plan and book of reference of St. Louis ward of the city of Montreal, under the number three hundred and forty-two (No. 342) ;

(b). A lot of land with buildings thereon, designated, on the official plan and book of reference of St. Antoine ward of the city of Montreal, under the number twelve hundred and sixteen (No. 1216) ;

(c). A lot of land with buildings thereon, designated, on the official plan and book of reference of St. Louis ward of the city of Montreal, under the number seventy-eight (No. 78) ;

That Toussaint Odilon Allaire, gentleman, of the city and district of Montreal, was duly appointed, by deed of the twentieth August, one thousand eight hundred and eighty-three, curator to the said substitution in the place of Joseph Beaudry, deceased ;

That the said immoveables, mentioned in the above paragraphs *a* and *b*, are no longer subject to the said substitution, inasmuch as they have been sold by authority of justice, in execution of two judgments rendered by the Superior Court of Montreal against the heirs Guenette, for two debts, one of them contracted by the late Dame Aurélie Beaudry and Toussaint O. Allaire in his capacity of curator to the said substitution ;

That the only immoveable now subject to the said substitution is that designated, on the official plan and book of reference of St. Louis Ward of the city of Montreal, under the number seventy-eight (No. 78), which is in bad

order and indebted to the city of Montreal for over eight hundred dollars for annual municipal taxes ;

That the revenues of the said immoveable are not sufficient to allow the institutes to make the necessary repairs and pay the aforesaid taxes ;

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

1. The persons above mentioned as institutes under the substitution established by the wills of the late François Guenette and the donation of Dame Aurélie Beaudry, and the curator to the said substitution, are authorized to sell the immoveable above described by private sale, with the permission of a judge of the Superior Court or of the prothonotary of the said court, granted on the advice of a family council duly convened for the purpose.

Sale of certain immoveables authorized.

2. The payment of the price of sale of the said immoveable by the purchaser shall be valid to all intents and purposes and shall relieve the purchaser from all responsibility as regards the investment of the proceeds of the sale of such immoveable.

Purchaser released on payment of purchase price.

3. The proceeds of the said sale shall be employed in paying the cost of this act and of the sale as well as the debts due on the said immoveable.

Application of proceeds of sale.

4. * The balance of the price of sale shall, until the opening of the substitution, remain in the hands of the purchaser at six per cent interest, payable every three months to the said institutes, and shall be secured by hypothec upon the said immoveable, and by insurance against fire ; but, in all cases, the collection and distribution of the revenues and profits of the said substitution shall be in no way affected by the provisions of this act.

Balance to remain on property secured by hypothec.

CAP. XCVI.

An Act to amend the act of this session, chapter 95, intitled: "An act concerning the substitution established by François Guenette and Aurélie Beaudry, his wife."

[Assented to 8th January, 1894.]

WHEREAS there is a contradiction between sections 2 and 4 of the act of this session, chapter 95, and it is expedient to remedy the same ;

Preamble.

* Replaced by the next chapter of these Statutes.