

CAP. XCVIII.

An Act to authorize Dame Albina Pominville, wife of Arthur Gagnon, to sell certain substituted property.

[Assented to 8th January, 1894.]

WHEREAS, by her will, made in the city of Montreal, Preamble, before N. Pérodeau and Charles Marie Ducharme, notaries, on the ninth day of July, one thousand eight hundred and eighty-eight, Dame Marie Flore Painchaud, widow of the late Pierre Hudon, gave and bequeathed unto Dame Marie Julie Albina Pominville, her niece, now the wife of Arthur Gagnon, of the city of Montreal, the usufruct of three brick houses, with circumstances and dependencies, built on a lot of land known and designated as forming part of lots numbers six, seven and eight (6, 7 and 8) of the subdivision of the lot number nine hundred and seventeen (917) of the official plan and book of reference of St. Louis ward, of the city of Montreal, and the ownership of the said property to the three children of the said Dame Albina Pominville, issue of her marriage with the late François Olivier Rinfret, or, in the event of their dying, during their minority, before their mother, to the said Dame Albina Pominville, or, in her default, to the two daughters of the said testatrix, Flora and Alexina Hudon, nuns of the community of the Ladies of the Sacred Heart, or, in their default, one half to the said community of the Ladies of the Sacred Heart, for the profit and advantage of their establishment in the city of Montreal, known under the name of the Academy of the Sacred Heart, and one half to Dame Marie Joséphine Pominville, wife of Pierre Louis Napoléon Beaudry, or, in the default of the latter, to her then surviving children ;

Whereas the said Dame Marie Flore Painchaud is now deceased ;

Whereas there are three children, issue of the marriage of the said Dame Albina Pominville with the said late François Olivier Rinfret, to whom the said Dame Albina Pominville and the said Arthur Gagnon were appointed joint tutors ;

Whereas Alfred Thibaudeau, merchant, has been appointed curator to the substitution established by the aforesaid will ;

Whereas the city of Montreal has expropriated a portion of the said immoveable for the opening of Pantaléon street ;

Whereas, since the said expropriation, the subdivision numbers of the cadastral number of the said immoveable have been changed, and the said immoveable now comprises the numbers 917.6.1, 917.6.2, 917.6.4, 917.6.5, 917.6.6,

917.7.1, 917.7.2, 917.7.3, 917.8.1, 917.8.2 and 917.8.3 of the official plan and book of reference of St. Louis ward of the city of Montreal;

Whereas it has been represented and satisfactorily established by the petition of the said Dame Albina Pominville and of the curator to the substitution above mentioned, and by the documents produced in support of the said petition, that it is in the interest of the said Dame Albina Pominville, her minor children and the substitutes, that the said immovable property be sold, and the proceeds of such sale be invested according to law; 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:

Authority given to sell certain property, upon certain formalities being complied with.

1. Dame Albina Pominville, wife of Arthur Gagnon, of the city of Montreal, personally, and the said Dame Albina Pominville and the said Arthur Gagnon, in their quality of joint tutors to the minor children of the said Dame Albina Pominville and of the late François Olivier Rinfret, or their successors in office, and the said curator to the substitution, created by the aforesaid will, may, with the permission of a judge of the Superior Court, sell the immovables above mentioned, either as a whole or in lots, with the buildings thereon erected and accessory rights, and give good and valid acquittances to the purchasers for the price of sale.

Investment of proceeds of sale.

2. The proceeds of the sale of the said immovables shall be invested according to the provisions of articles 981o and following of the Civil Code.

Payment to discharge purchaser, &c.

3. The payment of the price of sale shall discharge the purchasers, and they shall not be bound to see to the investment of such purchase price.

Coming into force.

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

CAP. XCIX.

An Act to amend the act 44-45 Victoria, chapter 86, intituled: "An Act to authorize the sale of certain properties substituted under the will of the late George Burns Symes."

[Assented to 8th January, 1894.]

Preamble.

WHEREAS Dame Marie Anne Claire Symes, wife of Napoléon Hugues Charles Marie Ghislain Maret, Marquis de Bassano, has, by her petition, represented