

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

1. Benjamin Castonguay, Emélie Vallée, the institutes of the substitution created by the will in part above recited, and the curator to the said substitution, are authorized to borrow an amount, which shall not exceed twelve thousand dollars and which shall be appropriated to the payment of the debts already incurred, in putting up the stores now in course of construction on the said above described lot, and in finishing the same with their dependencies.

Institutes and curator authorized to borrow money on security of real estate.

The amount of the loan shall be invested by the lender in an incorporated bank in Montreal to the credit of the institutes of the substitution and of the curator thereof conjointly, who must employ it for the purposes above specified.

Investment of amount loaned.

2. The institutes and the curator, to assure and guarantee the repayment of the loan, are authorized to hypothecate in favor of the lender of the whole of the said amount or of a part thereof, the immoveable property above described and to conclude all necessary agreements to this end ; and they are further bound annually to affect to the repayment of such loan until perfect payment thereof in capital and interest a sum equal to at least six per cent of the sum loaned and taken out of the revenues of the said immoveable.

Power to hypothecate property as security for repayment of amount loaned.

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

Coming into force.

C A P. C.

An Act to authorize Henri Bouthillier to sell a certain substituted immoveable.

[Assented to 30th December, 1890.]

WHEREAS Dame Geneviève Françoise Beaubien, Preamble.
widow of the late Louis Tancrède Bouthillier, in his lifetime sheriff of the city and district of Montreal, died on the tenth of August, one thousand eight hundred and eighty five, after making her solemn will and testament on the twenty-eighth day of December, one thousand eight hundred and eighty, before Maître P. Lamothe and his colleague, notaries, by which she instituted her two sons, Charles and Henri Bouthillier, her universal legatees each for one half ;

Whereas the said Dame Beaubien created upon one half of the property bequeathed by her to her son Henri Bouthillier, a substitution in favour of the children and grandchildren of the said Henri Bouthillier, and, in the event of the latter dying childless, in favour of his brother Charles Bouthillier ;

Whereas, in virtue of the aforesaid will and of a certain deed of partition passed, at Montreal, on the twenty sixth of March, one thousand eight hundred and eighty six, before Maitre E. H. Stuart, notary, between Henri Bouthillier and Hartland S. MacDougall *es-qualité*, the immoveable being No. 143 on the official plan and book of reference of the west ward of the city of Montreal, is substituted in favour of the children born and to be born of the said Henri Bouthillier and subsidiarily in favour of his brother Charles ;

Whereas the cost of maintaining and administering the said immoveable is very heavy, and it would be more advantageous for all parties interested to sell the same in the condition in which it now is ;

Whereas the said Charles Bouthillier, the substitute, consents to the sale of the said property, provided the same be sold for thirty thousand dollars, which shall be invested for the purposes of the substitution ;

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

II. Bouthillier authorized to sell certain property for certain price.

1. Henri Bouthillier, gentleman, of the city and district of Montreal, is authorized to sell, for a sum of not less than the sum of thirty thousand dollars, the immoveable designated under the number 143 of the official plan and book of reference of the west ward of the city of Montreal, with the buildings thereon erected, and to give a valid discharge therefor to the purchaser thereof for the purchase price.

Title of purchaser.

On payment of the price, the purchaser shall have a perfect title to the said immoveable,

Investment of proceeds of sale.

2. The proceeds of the sale of the said immoveable shall represent such immoveable and shall be invested in real estate by mortgage, in the purchase of immoveables, or otherwise for the purposes of the substitution.

By whom to be made.

The said investment shall be made by the curator to the substitution, authorized by a judge of the Superior Court on the advice of the family council.

Effect of payment of price.

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

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

C A P. C I.

An Act respecting the estate of the late James McCready.

[Assented to 30th December, 1890.]

WHEREAS Charles F. Smith, manufacturer, Frank J. Hart, merchant, and Cornelius Murphy, accountant, all of the city of Montreal, in the district of Montreal, in their quality of executors and trustees under the last will and testament of the late James McCready, and Jeremiah Fogarty, of the city of Montreal, manufacturer, in his quality of curator to the substitution created by the said last will and testament, have by their petition represented :

That the said late James McCready, in his lifetime of the city of Montreal, manufacturer, by his last will and testament executed before W. Fahey and colleague, notaries public, on the twenty-first day of July, one thousand eight hundred and ninety, appointed the petitioners Charles F. Smith and Cornelius Murphy, and the Revd. Pastor of St. Patrick's Church, in the city of Montreal, and their successor or successors named and appointed as in the will provided, as executors, trustees and administrators thereunder with the various powers as therein set forth ;

That the said Revd. Pastor of St. Patrick's Church, of the city of Montreal, refused to accept the said charge or office, and that the said two other executors, trustees and administrators, in accordance with the powers conferred upon them by the will, named and appointed the petitioner Frank J. Hart, as such executor, trustee and administrator, in the place and stead of the said Revd. Pastor of the said St. Patrick's Church ;

That, in effect, the said late James McCready, by his last will and testament, provided that his said executors, trustees and administrators were to take possession of his entire estate, and administer the same until the death of all the children born or to be born of the sisters of the said late James McCready, at which time the said estate should be equally divided between the grand-nephews and grand-nieces of the said late James McCready ;

That the trust created under the said will is one of very long duration, the nephews and nieces of the said late James McCready now living, children of the said sisters, being now very young ;