

College authorized to sell certain real estate.

1. The Corporation of Bishop's College are hereby empowered and authorized to sell and alienate all those certain parcels of land conveyed to the said Corporation by the Reverend Henry William Long, under a deed of donation passed before Daniel Thomas, notary public, on the twelfth day of April, eighteen hundred and seventy-two, and registered in the Stanstead division registry office, in register B. volume 18, number 404.

Investment, etc., of proceeds.

2. The proceeds of the sale of the said real estate shall be, by the said Corporation of Bishop's College, set apart and invested as a special fund, in such manner that the said special fund and all and every the proceeds, fruits, rents and revenues thereof, shall be applied only for the purposes specifically set forth and indicated in the said deed of donation.

Coming into force.

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

#### CAP. CXIV.

An Act to authorize the sale of certain real estate substituted by Alpheus Kimpton and his wife.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS Alpheus Kimpton and Liletta Lenay, his wife, in their lifetime of Ste. Thérèse de Blainville, in the district of Terrebonne, gave to their son Alpheus Kimpton, subject to substitution in favour of his children and descendants, by deed of donation, passed before A. Seguin, notary, on the 28th December, 1864, and duly registered, the following immoveable property, to wit :

1. A lot of land of triangular form, situated in the said parish of Sainte Thérèse de Blainville, now known and designated under the number twelve (12) on the official plan and book of reference of the said parish ;

2. A lot of land situate in the said parish, now known and designated under the number four hundred and sixty-eight (468) on the said official plan and book of reference ;

3. A lot of land situate in the said parish, now known and designated under the numbers thirty-five, thirty-six, thirty-nine, forty and forty-one (35, 36, 39, 40 and 41) on the aforesaid plan and book of reference, with a house thereon erected ;

Whereas the said Alpheus Kimpton, the younger, died on the 31st January, 1865, leaving two daughters as substitutes in the said substitution, namely : Abigail and Sarah Kimpton, issue of his marriage with Elmire David ;

Whereas the latter has remarried, and the said Abigail Kimpton has married Moïse Dubuc, employed in the sheriff's office of the district of Montreal, and the said Sarah Kimpton has married Charles J. Longpré, contractor, of the town of St. Jérôme ;

Whereas the said substitutes in the said substitution, and their husbands, being unable to use and dispose of the said property, the latter has considerably deteriorated in value and continues to do so daily and yields hardly any revenue ;

Whereas a mill which existed on one of the aforesaid immoveables has become so deteriorated that it can no longer be used, and the stone house on the property lastly described has been destroyed by fire ;

Whereas it is in the interest of all concerned that the said immoveables be sold as soon as possible and the proceeds invested for the benefit of the said substitution ;

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

**1.** The said Abigail and Sarah Kimpton, authorized by their husbands, and by a judge or prothonotary of the Superior Court for the district of Montreal, upon the advice of a family council, may sell each and all the immoveables aforesaid and give a good and valid title therefor to the purchaser or purchasers as the said donors themselves might have done. Power of sale given.

**2.** The sale shall be effected in the manner and with the formalities prescribed for the sale of immoveables belonging to minors. Formalities required.

**3.** The proceeds of the sale of the said immoveables or of any of them, after deducting the costs and expenses occasioned by obtaining the passing of this act and the expenses of the authorizations, notices and others incurred in effecting the said sale, shall be set apart for the payment of all hypothecary debts and charges which may exist upon the said property ; Application of part of proceeds.

The remainder shall be disposed of as follows : Application of remainder.

1. It shall remain under the security of the privilege of *baileur de fonds* in the hands of the purchaser, who shall pay the interest as stipulated, or

2. It shall be paid by the purchasers to the said Abigail and Sarah Kimpton, assisted by their said husbands, jointly with the curator to the said substitution, without any other authorization being necessary, and shall be invested by them in such manner as they and the curator to the said substitution may deem most advantageous.

**4.** The payment made by the purchasers of the said immoveable to the said Abigail and Sarah Kimpton, as- Purchasers not bound to

see to invest-  
ment.

sisted by their husbands, and with the concurrence of the curator or other representative of the substitution, shall be valid to all intents and purposes and shall relieve the purchasers of all responsibility as to the investment of the price of the said immoveables, or any of them.

Coming into  
force.

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

## CAP. CXV

An Act to authorize the sale of certain real estate substituted by the will of the late John A. Stackhouse.

[Assented to 2nd April, 1890.]

Preamble.

**W**HEREAS James Cowan, of the city of Ottawa, John Stackhouse and Gilbert A. Stackhouse, of the parish of St Andrews, in the district of Terrebonne, Charles Stackhouse, of the city of Ottawa, and Benjamin S. Stackhouse, of the town of Lachute, in the said district, have, by their petition, set forth :

That the said John Stackhouse, Gilbert A. Stackhouse, Charles Stackhouse and Benjamin S. Stackhouse, are the male children issue of the marriage of the late Dame Mary Esther Dorion and the late John A. Stackhouse, in their lifetime of the said parish of St. Andrews, and the legatees of the usufruct to the real estate substituted under the last will and testament of the said late John A. Stackhouse ;

That by the last will and testament of the said late John A. Stackhouse, executed in authentic form before H. Howard, notary public, and witnesses, in the said parish of St Andrews, on the eighteenth day of February, eighteen hundred and sixty-five, he appointed the said James Cowan his testamentary executor, extending his powers beyond the year and a day, and until the complete fulfillment of the said will, and the said late Dame Mary Esther Dorion, his wife, his universal legatee, with substitution of his real estate in favor of his male children, the four above named petitioners, in the proportion defined in said will, and after their death to their legal heirs and representatives in the ordinary course of succession ;

That inserted in said will is the following clause :  
 “ And it is a further condition of the bequest herein-  
 “ above made to my said sons of the said real estate, that  
 “ they shall not in any manner sell, mortgage or other-  
 “ wise encumber the same or any part thereof, unless it be  
 “ to or in favor of each other, it being my wish that the