

see to invest-
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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.

WHEREAS 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

“ said property should be retained in the family, and after
 “ their demise to their legal heirs or representatives in the
 “ ordinary course of succession ;”

That the said late John A. Stackhouse departed this life, at St. Andrews aforesaid, on the eleventh day of March, one thousand eight hundred and sixty-five, and his said will was duly registered in the registry office for the county of Argenteuil, where the said real estate is situated, on the seventeenth day of May, one thousand eight hundred and sixty-five ;

That the said late Dame Mary Esther Dorion died, at St. Andrews aforesaid, on the 14th day of June, 1889 ;

That said real estate consists of lot numbers 427, 428, 429, 430, 426, 421, 422, 423, 424, 425 385, 386, 387, 558, and 562, on the official plan and book of reference of the said parish of St. Andrews, and are of the aggregate value of two thousand dollars ;

That the revenue derivable from said real estate is precarious and insufficient to maintain the same in tenable condition and provide for the other charges created by said will, and for that reason, the property is more onerous than profitable ;

Whereas the said petitioners have, by their petition, prayed for the passing of an act authorizing them or the survivors of them to sell and dispose of the said estate and invest the same in such manner as they may deem most advantageous ;

And whereas it is in the interest of all concerned that the prayer of such petition be granted ;

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

1. The said executor and the said institutes, with the consent of the curator named to the substitution created by the will of the late John A. Stackhouse, may, forthwith, by observing the formalities required for the sale of property belonging to minors, obtain power to sell and dispose of, at such prices and upon such terms and conditions fixed by a judge, all the immoveable property hereinabove mentioned on such terms as may be deemed most advantageous ; and they shall be obliged to invest the proceeds of such sale in the manner which shall be indicated and decided by the judge upon the advice of a family council.

Certain property may be sold.
Investment of proceeds.

2. The payment made by the purchasers of the said immoveables shall be valid to all interest and purposes, and shall relieve such purchasers from all responsibility as to the investment of the price of the said immoveables, or any of them.

Payment by purchasers to relieve them of responsibility as to investment, etc.

Coming into
force.

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

CAP. CXVI.

An act respecting a certain substitution created by Joseph Beaupré *et uxore*.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS, by deed of gift *inter vivos*, passed at l'Assomption, on the 20th March, one thousand eight hundred and thirty-seven, before Chagnon and colleague, notaries, by Joseph Beaupré, senior, captain of militia, of St. Paul, county of Joliette, and Dame Thérèse Gourre, his wife, to André and Salomon Beaupré, their sons, the donors having charged the donees with a substitution of the property [including the immoveable hereinafter described] in favor of the grandchildren and great-grandchildren of the said donees ;

Whereas the succession of the said Joseph Beaupré *et uxore* consisted of the following immoveable, to wit :

“ A lot of land situate and being in the parish of St. Paul, seigniory of Lavaltrie, containing five arpents in front by forty arpents in depth, bounded in front by the north bank of the river l'Assomption, in rear by the land of one Laporte and one Beauséjour, on one side to Joseph Labrèche, and on the other side to Jean Baptiste Laporte, with a house, barn, stable and other dependencies built thereon ; three arpents of such land to belong to the said Solomon Beaupré, and the two other arpents to the said André Beaupré ;”

Whereas, by the said deed, the said substitutes were enjoined to keep the said land to them given and to return and restore the whole in good order to their children, born and to be born in lawful wedlock, and to the children of their children for ever, in the direct male line to the degree fixed by law, with power, nevertheless, to the said donees and all the substitutes to sell or exchange the whole or part of the land amongst themselves, provided such sale or exchange be made in the family and in the direct male line only ;

Whereas a portion of the said substituted property is now in the possession of Benjamin Beaupré, the son of André, who acquired the same from his brothers, in virtue of a deed of sale passed before L. Désaunier, notary, on the fourth of February, one thousand eight hundred and sixty-eight, in favor of the said Benjamin Beaupré, by Joseph Beaupré, Damien Beaupré, Emilio Beaupré, Camille Beaupré and Pierre Tancredé Beaupré, his brothers,