

1. The deed of sale of lot cadastral No. 1489 of St. Mary's Ward in the city of Montreal, by Dame Martha Prescott Ashworth, Dame Martha Henrietta Ashworth Adams and George W. Reed, curator to the substitution created by the last will and testament of the late Austin Adams, in his lifetime of the city of Montreal, to the said Alfred Joyce, passed before H. Brodie, notary, on the twenty-third day of July, eighteen hundred and eighty-one, and registered in the registry office of the registration division of Montreal East, on the twelfth day of August, eighteen hundred and eighty-one, is hereby confirmed and ratified and declared valid and lawful notwithstanding the said substitution and any irregularities, and the said Alfred Joyce is and remains the absolute owner of the said lot of land under and by virtue of the said deed of sale, as if the same were devoid of any irregularity or illegality.

2. The said Alfred Joyce shall not be responsible, as regards the said substitution, for the disposition of the price of sale, and he shall be completely discharged by the acquittance given to him in the said deed by the said vendors.

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

Certain deed of sale confirmed.  
Purchaser thereunder not responsible for application of proceeds, etc.  
Coming into force

## CAP. CXIX.

An Act to authorize Charles L. de Martigny, *ès qualité*, and others to borrow money and to hypothecate the immoveable property of the estate of the late Honorable Charles S. Rodier.

[Assented to 2nd April, 1890.]

WHEREAS the late Honorable Charles Séraphin Rodier, who died on the third of February, one thousand eight hundred and seventy-six, did, by his will and codicil, dated the twenty-second and twenty-sixth of January, one thousand, eight hundred and seventy-six, appoint Joseph Evariste Odilon Labadie, notary, his sole testamentary executor and administrator of his estate, both real and personal, and the latter having resigned on the fifth March, one thousand eight hundred and eighty-six, was replaced on the same day by Charles L. de Martigny; the whole under the terms of the said will;

Whereas a portion of certain immoveables of the said Rodier estate is or will shortly be expropriated by the city of Montreal, and the compensation awarded is not nor will not be sufficient to allow rebuilding upon the remaining portion of the said immoveables;

Whereas certain buildings, belonging to the said estate, are now in a state of decay, and their demolition has been ordered by the building inspector of the city of Montreal;

Whereas other immoveables, belonging to the said estate, although situated in the centre of the city of Montreal, and consequently of great value, are unproductive owing to there being no buildings thereon;

Whereas the immoveables on which buildings should be erected in the interest of the estate are:

1. A lot known and designated as number three hundred and fifty-four (354) on the official plan and book of reference of St. Lawrence Ward, of the said city of Montreal, fronting on St. Lawrence and on St. Charles Borromée streets;

2. Two lots known and designated as numbers two hundred and seventy-three (273) and two hundred and seventy-four (274) on the official plan and book of reference of St. Louis Ward, of the said city of Montreal, fronting on St. Lawrence and St. Dominique streets and St. Lawrence market;

3. A lot known and designated as number four hundred and fifty-three (453) on the official plan and book of reference of St. Antoine Ward, of the said city of Montreal, fronting on St. Antoine and Guy streets and on Richmond Square.

Whereas the said testamentary executor is not in a position to undertake the erection of such buildings without a loan not exceeding forty thousand dollars, and the said estate is interested in the said loan being effected for the purposes aforesaid;

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

Power to borrow money for certain purposes.

1. The said Charles L. de Martigny, in his capacity of testamentary executor of the said Rodier estate, and Joseph Charles Hubert Lacroix, in his capacity of curator to the substitution created by the said will of the late Charles S. Rodier, with the consent of the majority of the usufructuaries and institutes of the said succession, are authorized to borrow a sum not exceeding forty thousand dollars, for the purpose of building or rebuilding houses or shops on the lots of land aforesaid and to hypothecate the said immoveables for that object.

Amount to be set apart to repay loan.

2. The said testamentary executor is bound, until the final extinction of the debt created by the loans, to set apart, every year, for the repayment of the said loan, in capital and interest, an amount equal to, at least, ten per cent of the amount borrowed, and to be taken from the revenues of the said estate.

3. This act shall come into force on the day of its sanc- Coming into  
force.  
tion.

## C A P. C X X .

An Act to authorize Marie-Louise Priscille Benoit and Philippe Benoit *es-qualité*, to hypothecate certain substituted immoveables.

[Assented to 2nd April, 1890.]

**W**HEREAS, by her last will and testament, made at Preamble.  
Montreal, on the 3rd June 1878, before Maitres Perodeau and Jobin, Dame Melanie Robert *dît* Namur disposed of her property in the following terms :

“ I give and bequeath, unto François Benoit, the usufruct during his lifetime, whether he remarries or not, of all the moveable and immoveable property, rights and shares, to have and to hold as usufructuary during his lifetime, without being obliged to furnish security or to make an inventory or to render account to any one whomsoever, until his death, at which period I transfer his said rights of usufruct to my only daughter Marie-Louise Priscille Benoit, without her being obliged to give any security for her said right of usufruct; but she shall be obliged to make an inventory in the presence of the curator appointed to the substitution created by my present will; for my said daughter to enjoy her said right of usufruct as alimony for herself and her children, forbidding that such right of usufruct be liable to seizure, subject to transfer or be sold or disposed of, declaring every deed in contravention hereof, null and void.

“ My said daughter shall at her death transfer the property, rights and shares, of which she shall have so had the usufruct, to the children then born of her lawful marriage and their survivors and representatives ; ”

Whereas the said Dame Mélanie Robert *dît* Namur died without revoking her said will, which has been duly registered according to law ;

Whereas Philippe Benoit was appointed curator to the substitution created by the aforesaid will ;

Whereas amongst the property left at her death by the said Dame Mélanie Robert *dît* Namur, there are the following immoveables ;

1. A property situate on St. Constant street and on German street, (*rue des Allemands*) known as No. 223 of the official plan and book of reference of St. Louis Ward of the city of Montreal ;

2. A property situate on Dubord street, known as No. 225 of the official plan and book of reference of St. James Ward of the city of Montreal.