

tuted pro-
perty autho-
rized.

are authorized to sell the said immovables comprising the numbers 102, 104, 108 and 160 of the cadastre of the parish of Ste Therèse de Blainville, number 91 of the cadastre of the village of Ste Therèse de Blainville, and number 444 of the cadastre of the parish of Ste Rose, in the district of Montreal, for the prices and on the conditions to be determined between the said testamentary executors and the said Dame Elizabeth Paiement, the proceeds of such sale to remain in the hands of the purchaser as a first mortgage, and with such other sureties as may be required, and the capital and interest thereof to be disposed of in accordance with the will of the late Antoine Paiement dit Larivière.

Coming into
force.

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

C A P . L X X V I .

An act to authorize the sale of certain property belonging to the estate of the late William Wallace Scott.

[Assented to 18th May, 1887.]

Preamble.

WHEREAS Hannah Martin, of the City of Quebec, widow of the late William Wallace Scott, in his lifetime of the said city of Quebec, merchant, Jane Hatheway Scott, William Baptist Scott, Hannah Elizabeth Scott, all of the city of Quebec, and Mary Frances Scott, wife of George Rolt White, of the village of Lennoxville, have, by their petition, represented that, by his last will and testament, made and executed at Quebec, before Maitre J. J. Glackemeyer and his colleague, notaries, the said late William Wallace Scott gave and bequeathed the use, usufruct and enjoyment of all his property unto the said Hannah Martin, during her lifetime, and, upon her death, he gave such property to the children issue of their marriage, to wit: to the said Jane Hatheway Scott, William Baptist Scott, Hannah Elizabeth Scott and Mary Frances Scott, and substituted the same to the grandchildren of the said testator;

Whereas the said William Wallace Scott departed this life at the city of Quebec, on the sixth day of September, eighteen hundred and seventy-two, without having altered or revoked his said will, and thereupon the said Hannah Martin entered into the enjoyment of said property as such usufructuary legatee and the other petitioners, children, issue of the marriage of the said William Wallace Scott and Hannah Martin, became vested therewith as

institutes. That among such property were divers large quantities of bank and other stocks, which the said petitioners are unable to sell, by reason of the substitution, notwithstanding that such sale would be greatly to the advantage of all the persons interested in the said estate and succession ;

Whereas some of the said stocks involve a double liability, and all of them are of fluctuating and uncertain values, and it is in the interest of the said usufructuary, institutes and substitutes that the power to sell such stock should be vested in the said institutes, with the consent of the universal usufructuary legatee, and that of the curator to the substitution, upon the order of a judge granted upon the advice of a family council ;

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 :

1. The institutes, named in the will of the late William Wallace Scott, with the consent of their mother, the universal usufructuary legatee, and that of the curator named to the substitution created by said will, may, with the permission of a judge of the Superior Court, granted after taking the advice of a family council duly convened for that purpose, from time to time, sell and dispose, at the current rate of the Stock Exchange prevailing at the time of such sale for such stock, of all or any part of the said stock belonging to the estate and succession of the late William Wallace Scott ; and may, thereupon, transfer such stocks to the purchaser ; who, upon payment of the price, shall thereby acquire a perfect title thereto, notwithstanding the substitution. The transfer of the stocks so sold to the name of the purchaser or purchasers may be required from the institution, the stock in which shall have been sold.

Power to sell certain substituted property.

2. The total proceeds of sale of all or any of the stocks, sold under the authority of this act, shall represent the said stock, in so far as the substitutes are concerned, and shall be invested in the name of the substitution and shall, in all respects, be governed by the provisions of the will of the late William Wallace Scott.

Investment of proceeds.

3. The investments made of the price of sale of the said stocks, may, with the consent of the institutes, of the usufructuary legatee, and of the curator to the substitution, be made, altered and varied, with the approval of a judge of the Superior Court, after taking the advice of a family council duly convened for that purpose, in the

Changing investments.

same manner and with the same formalities as herein-above prescribed.

Coming into
force.

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

C A P . L X X V I I .

An Act to ratify and confirm certain deeds of compromise, conveyance and partition, in connection with the estate of the late Charles Phillips.

[*Assented to 18th May, 1887.*]

Preamble,

WHEREAS Charles William Phillips, Henry Stanley Phillips, Dame Georgina Alice Phillips, and Dame Georgina Duff Stanley and Dame Ann Bain, have by their petition represented :

That litigation hath been pending between your petitioner Dame Ann Bain and the other petitioners, with regard to the estate of the late Charles Phillips, and the respective rights and shares of the petitioners therein, and in the property belonging to the said estate ;

And that the petitioners entered into an agreement of compromise, final settlement and conveyance at Montreal on the 8th day of July last past, duly made and executed before George R. W. Kittson, Notary Public, on the last mentioned date, whereby they in effect came to an agreement, compromise and final settlement of all the litigation theretofore pending between them and of all their claims whatsoever one against the other, and executed mutual discharges one to the other, and further agreed to divide the real estate forming part of the estate and succession of the late Charles Phillips amongst them, in the shares respectively set forth in the said deed, a certain portion of the real estate being conveyed and granted to the petitioner Dame Ann Bain, and the remainder thereof to the other petitioners, and the shares of the other petitioners in the said real estate were further fixed and decided upon by an act of partition passed before the said Notary Public on the sixteenth day of October last past ;

And whereas doubts have been entertained as to the titles of the petitioners respectively to the different shares of the said real estate, so fixed and agreed upon as aforesaid, and as to their rights and powers with regard to the sale, alienation or hypothecation of the said real estate ;

And whereas they have prayed by their petition for an Act