

Provided always that no tolls shall be charged or collected from children under twelve years of age, or from persons forming part of a funeral procession. Provide as to certain persons passing free.

Every person passing forcibly through the toll gate or upon the said bridge, without paying the toll exigible, or otherwise evading the payment of the said toll, shall incur a penalty for each offence not exceeding ten dollars : Penalty for passing without paying.

12. For all purposes of acquiring the right of way and approaches to the said bridge, the company shall have all the powers conferred upon municipalities under chapter fourth of title eighth of the Municipal Code. Certain powers of expropriation given to company.

13. All the provisions of " The Joint Stock Companies' General Clauses Act ", not inconsistent with the present act, shall apply to and govern the company hereby incorporated. 31 V. c. 24, to apply to act.

14. The company shall have the right and power by deed or deeds of obligation, executed before a notary, to borrow money, and, by the registration of a copy of such deed, to hypothecate the said bridge, right of tolls, and all the property of the company, as security for the payment of such sums as they may borrow, subject moreover to the provisions of section nine of this act. Power to borrow money and hypothecate bridge, &c.

For all the purposes of such registration, and also for municipal purposes, the said bridge, rights, tolls and property shall be known and designated as the lot number 899b of the east ward of the city of Sherbrooke. Cadastral number of bridge, &c., for such purposes.

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

CAP. LXXXVIII.

An Act to authorize the sale or other disposition of certain property belonging to the Estate of the late Dame Marie Angelique Cuvillier.

[Assented to 21st June, 1886.]

WHEREAS Charles Edouard Schiller, Esquire, Clerk of the Crown for the District of Montreal, in his quality of testamentary executor of the late Dame Marie Angelique Cuvillier, of the City of Montreal, widow of the late Alexandre Maurice de Lisle, in his lifetime of the same place, Esquire, and also in his quality of tutor to James Norman Stuart Leslie, a minor child, issue of the marriage of the late Dame Marie Elmire de Lisle with the late Patrick Leslie of the city of Montreal, Esquire ; Maurice Nolan de Preamble.

Lisle, of the city of Montreal, Esquire, in his own name and in his quality of testamentary executor of the said late Dame Marie Angelique Cuvillier, and also in his quality of curator to the substitution created by the said will; Charles Alexandre de Lisle, of the city of Toronto, in the Province of Ontario, in his own name and also in his quality of testamentary executor of the said late Dame Marie Angelique Cuvillier; Marie Anne Angelique Claire de Lisle, of the City of Montreal, spinster, *fille majeure et usante de ses droits*, in her own name and also in her quality of testamentary executrix of the said late Dame Marie Angelique Cuvillier; Marie Lucie Anne Catherine de Lisle, of the city of Montreal, spinster, *fille majeure et usante de ses droits*, in her own name and also in her quality of testamentary executrix of the said late Dame Marie Angelique Cuvillier; Dame Marie Victoria Cordelia de Lisle, of the city of Montreal, wife of Oliver Selby, of the same place, Esquire, and the said Oliver Selby, as well for the purpose of authorizing his said wife, as in his quality of subrogate-tutor to the said minor Leslie; Dame Marie Georgianne de Lisle, of the City of Montreal, wife separated from bed and board of Joseph Henri Pillet, Esquire, heretofore of the said City of Montreal, but now residing in the Province of Manitoba, in her own name, and also as institute in the substitution created by the said will of the late Dame Marie Angelique Cuvillier,—the said Dame Marie Georgianne de Lisle being specially authorized to make the present petition, by a judgment or order of the Honorable Henri T. Taschereau, one of the Judges of Her Majesty's Superior Court for Lower Canada, made on the twentieth day of April, one thousand eight hundred and eighty-six;—Marie Julie Catherine Claire Leslie, of the City of Montreal, spinster, *fille majeure et usante de ses droits*; and Marie Georgianne Stuart Leslie, of the said city of Montreal, *fille majeure et usante de ses droits*, have by their petition represented:

That the said late Dame Marie Angélique Cuvillier, of the City of Montreal, widow of the late Alexandre Maurice de Lisle, in his lifetime of the same place, Esquire, made and executed her last will and testament before F. J. Durand and O. Marin, Notaries Public, on the fourth day of January, eighteen hundred and eighty-four, at the City of Montreal, by which, after providing for certain special legacies, she gave and bequeathed to her children of the first degree, the surviving issue of her marriage with the said late Alexandre Maurice de Lisle, and to the children born or to be born, in lawful marriage, of those of her said children of the first degree who should predecease her, as representing their respective parents, *par souche*, the rest and residue of her property;

Whereas, in and by the said will, the said Dame Marie Angélique Cuvillier created a substitution in the following words: "I make the present bequests to my said children and grandchildren as their sole and absolute property, save and except, nevertheless, that the share of my said estate which may belong to my said daughter Marie Georgianne de Lisle, wife of Joseph Henri Pillet, which share my said daughter, if her husband is then living and so long as he should live, shall be obliged to keep, so as to give and restore the same after her death to her children born or to be born of her marriage with the said Sieur Pillet, but it is well understood that in the event of the said Sieur Pillet, predeceasing his said wife, either before or after my death, then the substitution which I now create as to the share of my said daughter, Marie Georgianne, shall be considered as extinct and as never having been made, and from the day of the death of her said husband, but only then, shall she become, like my other children, absolute owner of her share of my estate;"

Whereas the said Dame Marie Angélique Cuvillier named and appointed the said Charles Edouard Schiller, Seraphin St. Onge, merchant, her two sons, the said Maurice Nolan de Lisle and Charles Alexandre de Lisle, and her two daughters, the said Marie Anne Angélique Claire de Lisle and Marie Lucie Anne Catherine de Lisle, the Executors to her said last will and testament;

Whereas the said Dame Marie Angélique Cuvillier departed this life at the said City of Montreal, on the seventeenth day of February last, without revoking her said last will and testament, and that, with the exception of the said Seraphin St. Onge, who duly renounced to the charge, as appears by copy of deed of renunciation, passed before O. Marin, Notary public, at Montreal, on the twenty-fifth day of February, eighteen hundred and eighty-six, all the said executors mentioned in the said will accepted the said office of executor, and are now acting as such;

Whereas the said Charles Edouard Schiller was duly appointed tutor, and the said Oliver Selby, subrogate-tutor, to the said minor James Norman Stuart Leslie, and the said Maurice Nolan de Lisle was duly appointed curator to the said substitution created by the said clause of the said will;

Whereas the said late Alexandre Maurice de Lisle and the said late Dame Marie Angélique Cuvillier, his said wife, were common as to property and possessed of a considerable quantity of real estate, comprising vacant lots and improved properties, either as full owners, or *par indivis*, situate both in the parish and city of Montreal and elsewhere, as well as shares in the bridges on the Riviere des Paires,

and in certain turnpike roads on Ile Jésus, and moreover held large quantities of stocks and capital sums invested in shares of financial and manufacturing institutions ;

Whereas the said real estate or large portions thereof are hypothecated and certain of the said bank stocks pledged ;

Whereas the said hypothecs and loans bear a high rate of interest and that certain of the same are due or shortly to become due ;

Whereas the said testatrix moreover has left considerable debts which the said petitioners are obliged to, and are desirous of, paying off ;

Whereas in order to pay off and discharge the said debts, hypothecs and liabilities, it is necessary that large sums of money should be borrowed upon the security, either of the real estate or of the stocks and shares belonging to the said estate, or of both, or to sell great portions of the same ;

Whereas the said petitioners can procure the loan of money at lower rates of interest than now paid, and whereas it is in the interest of all parties concerned that the said mortgages and pledges bearing a high rate of interest should be discharged and substituted by others at lower rates ;

Whereas, as already stated, a large portion of the property of the said estate consists of vacant lots, and that applications for the purchase of small parcels of said vacant lots are from time to time received ;

Whereas, moreover, a considerable portion of the said real estate in the city and parish of Montreal, and of the said mortgages, are held by the said estate, in common with Thomas Workman, esquire, the estate of the late William Workman, and Milton H. Brisette, esquire, and it would be greatly in the interest of the said estate and of all parties concerned with and having an interest in the same, that all such sales should be made free of all charges, and in parcels and quantities as required ;

Whereas, owing to the said James Norman Stuart Leslie being a minor and having one twenty-first interest in the said estate, and owing to the substitution so as aforesaid created in favor of the children of the said Dame Marie Georgianne de Lisle, it is impossible for the said petitioners to hypothecate or sell said property, or dispose of any of the capital sums belonging to the said estate, for the purpose of paying off the debts of the said estate or to do any other act for the benefit and in the interest of the said estate, without, on each and every occasion, making application for authorization to the court, judge, or prothonotary, calling family councils and complying with all the formalities provided by the laws of the Province, with respect

to the disposal or alienation of property and effects where minors or substitutions are concerned ; and

Whereas the expenses, attendant upon the compliance with the aforesaid formalities, to obtain the said authorizations, would be enormous and would cripple the said estate, the said minor and the said substitution, and would moreover interfere with and prevent a settlement of the said estate for a long time, and would thereby cause great injury to the said petitioners and all parties concerned in the said estate ;

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

1. The said Charles Edouard Schiller, in his quality of tutor to the said minor James Norman Stuart Leslie, or any other tutor who may be hereafter appointed in his stead, and the said Marie Georgianne de Lisle, as institute in the said substitution created by the said will of the late Dame Marie Angelique Cuvillier, together with the said Maurice Nolan DeLisle, in his quality of curator to the said substitution, or any other curator who may be appointed in his stead, are hereby authorized and empowered to alienate, hypothecate, transfer, sell and make over, or otherwise dispose of, or act in connection with, the respective interests of the said minor and of the said substitution, in the said estate of the said late Dame Marie Angelique Cuvillier, whether the same refer to moveable, or immoveable property, capital sums, or shares or interest in any financial, commercial or manufacturing joint stock company, to borrow money, to grant receipts, discharges and other acquittances as may be required, and to pay the debts of the said estate, the whole in conjunction with the other universal legatees, or their lawful representatives, without the said Dame Marie Georgianne de Lisle being obliged to procure or even ask for the authorization of her husband, but upon the authorization of a judge of the Superior Court, in chambers, and without the said tutor, curator, and institute being required to comply with any other formalities, or with the provisions of the laws in force in this Province, requiring the calling of family councils, and the procuring of special authorizations, in matters concerning the alienation of property or effects, where minors or substitutions are concerned.

Power given to sell certain real estate.

2. In the event of the said substitution becoming opened, the tutor to such of the institutes, who may then be minors, is hereby likewise empowered to do any of the above mentioned acts on behalf of such minors, without any further authorization from the court, judge or prothonotary being required therefor.

Tutors to institute may also sell.

Certain acts
declared valid.

3. All or any of such acts made or performed in virtue of either of the foregoing sections shall be legal and valid, to all intents and purposes, as if the said parties had procured the necessary authorization, in due course of law, for each and every transaction.

Purchaser not
bound to see to
application of
proceeds.

4. The purchaser, transferee, pledgee, or other person acquiring any of the said rights or properties of the said estate, shall not be bound to see to the proper application of the proceeds of any transaction so had by them with the aforesaid tutor, curator and institute, or any of them.

Coming into
force.

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

C A P. L X X X I X.

An Act authorizing Dame Jane Cox, wife of John Nelson Hickey, and Dame Barbara Cox, wife of Alexander Linton Lockerby, to sell the south-western portion of lot No. 123 of the Cadastre of Saint Louis Ward, in the city of Montreal, to Jean-Baptiste St. Louis and to Dame Emma E. Lamontagne wife of Emanuel Saint Louis, upon certain conditions.

[Assented to 21st June, 1886.]

Preamble.

WHEREAS Simon McTavish Charles did, by his last will and testament, bearing date the 4th June, 1860, bequeath all his property to his brothers and sisters in usufruct only and, upon their decease, to his three nieces, Sarah Ann Cox, Jane Cox and Barbara Cox, also in usufruct, and the ownership thereof to the children of the latter; whereas, by his codicil, dated the 3rd April, 1866, he did appoint Walter Charles, his brother, his testamentary executor, giving him the exclusive right, if he thought proper, to sell by private sale his immoveable property or any portion thereof and to invest the proceeds thereof, either by purchasing bank stocks or by purchasing real estate or in good securities, the whole for the benefit of the legatees;

Whereas Norton B. Corse, Esquire, in his quality of curator, appointed by authority of justice, on the second November, eighteen hundred and sixty-seven to the substitution created by the will of the said Simon McTavish Charles, and others, did with the authorization of the court sell to Dame Barbara McKenzie Charles, widow of Frederick Valentine, a lot of land situate in Saint Louis Ward of the city of Montreal, for the price and sum of six thousand five hundred dollars as being the highest bidder; that the