

payment of such share by the purchasers before the substitutions are opened, the testamentary administrators shall invest the mon-ys, representing such share or any part thereof, in the purchase of immovable property, with the approval of a judge of the Superior Court, or in accordance with the act 42-43 Victoria, chapter 30, intituled "An act defining the investments to be made by administrators," and with the act amending the same.

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

C A P . L X X X I .

An Act to authorize the resiliation and setting aside of a substitution established by a deed of gift by Catherine Poitras, in favor of the children of Ludger Plessis Bélair *et al.*

[Assented to 9th May, 1885.]

WHEREAS on the eighth day of April, one thousand Preamble.
eight hundred and sixty-eight, by deed passed in the city of Montreal, before J. H. Jobin, notary, Catherine Poitras, did give, by deed of gift to Ludger Plessis Bélair, Téléphore Plessis Bélair, Joseph Arthur Plessis Bélair and Joseph Sylva Plessis Bélair, the immovable property bearing the number sixty-six on the official plan and book of reference for Saint Louis ward, of the city of Montreal ;

Whereas by such deed of gift, the immovable aforesaid was substituted in favor of the children of the said donees ;

Whereas such deed of gift was accepted by only one of the donees, Ludger Plessis Bélair, the other donees being minors ;

Whereas the substitution is not yet opened ;

Whereas at the time the said deed of gift was made the immovable was subject to charges and hypothecs to the amount of nine thousand four hundred and eighty-seven dollars and eighty-seven cents ;

Whereas the said immovable is further hypothecated for the payment of a life-rent of thirty-five pounds sterling in favor of Louisa Gordon, of Liverpool, in England ;

Whereas the property aforesaid is further hypothecated for the payment of a life-rent of eight hundred dollars in favor of Madame Louis Raymond Plessis Bélair ;

Whereas the said immovable is further hypothecated for the payment of a life-rent of five hundred dollars in favor of Miss Catherine Poitras ;

Whereas the said donees have made improvements upon the said immovable and expended money thereon to the amount of five thousand five hundred and seventy-three dollars ;

Whereas the value of the said immovable, with the said improvements and expenses, is twenty-six thousand three hundred dollars ;

Whereas, by deducting from the value of the said immovable the charges and hypothecs to which it is liable and the cost of the improvements made thereon by the said donees, the sum of eleven thousand and thirty-nine dollars and thirty-three cents is all that the said Miss Catherine Poitras could substitute ;

Whereas the said substitution is obliged to pay fourteen hundred and forty dollars per annum in life-rents, and the revenues at the disposal of the substitution for meeting such life-rents are only six hundred and seventy-two dollars and thirty-two cents ;

Whereas the said substitution thereby incurs a deficit of seven hundred and seventy-seven dollars and sixty-five cents per annum ;

Whereas the said substitution will, of necessity, be extinguished owing to the charges imposed by the gift establishing the same and for which the aforesaid immovable is liable, owing to the impossibility in which the donees are placed of meeting the charges for which it is liable out of the revenues derived from it ;

Whereas the donees, who are the institutes as aforesaid, are unanimously of opinion that the aforesaid substitution should be set aside and resiliated, and they are the only parties to the deed of gift establishing such substitution ; 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 :

Certain deed creating substitution may be set aside.

1. The said Ludger Plessis Bélair, Téléphore Plessis Bélair, Joseph Arthur Plessis Bélair and Joseph Sylva Plessis Bélair and the said Miss Catherine Poitras are permitted to resiliate and set aside the substitution created by the said deed of gift bearing date the eighth day of April one thousand eight hundred and sixty-eight.

Coming into force.

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