

sible to divide the said immovable properties, it may be sold by observing the formalities prescribed for the sale of immovable property in which minors are interested.

3. The proceeds of such sale shall, for the purposes of the said substitution, represent the immovable or immovables sold to that effect, and shall, after payment of the debts, be invested in mortgages in the names of the said substitutes, or otherwise invested, as the said judge may determine. Application of proceeds.

4. The sums so invested shall be considered as immovables and shall remain subject to the provisions of the said will as regards the said substitution; and the interest or revenues thereof, as well as the capital, when the said substitution is opened, shall belong to the persons entitled thereto under the said will. Monies to be considered as immovable.

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

## CAP. XCII.

An Act to authorize Dame Marie J. Thérèse LaRocque and her husband J. Aldéric Ouimet, Esquire, to sell or otherwise dispose of certain substituted property.

[Assented to 10th June, 1884.]

**W**HEREAS Marie Josephe Thérèse LaRocque, of the city of Montreal, separated as to property by marriage contract from her husband J. Aldéric Ouimet, Queen's Counsel, Member of the House of Commons of Canada, of the city of Montreal aforesaid, has, by her petition, represented that, in virtue of the will of the late Antoine Olivier Berthelet, in his lifetime of the city of Montreal, Esquire, Gentleman, made at Montreal on the twenty-eighth day of November, 1870, before Mtre. D. E. Papineau and his colleague, Notaries, and of a certain codicil, made before the said notaries by the said testator at the same place on the twenty-fourth of February, 1871, she is at present proprietor and in possession, as institute in a substitution in favor of her children, of certain immovables described at length in the said petition and in a certain deed of partition of the property of the estate of the said late Antoine Olivier Berthelet, passed at Montreal before the said Mtre. D. E. Papineau, on the eighth of February, 1876; whereas the said immovables, hereinafter described, yield Preamble.

scarcely any revenue to the said petitioner and are rather an encumbrance to her, on account of the taxes which she has to pay thereon to the city of Montreal, and whereas it would be to the advantage of the said substitutes and of the petitioner if the latter were granted the authority prayed for by her petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Marie Oui met  
may, when au-  
thorized sell  
certain substi-  
tuted property.

Description of  
property that  
may be sold.

1. The said Dame Marie Josephe Thérèse LaRocque, with the assistance of her said husband, may, after having been thereunto authorized by a judge of the Superior Court of this province, upon the advice of a family council to the effect that such alienation is useful or advantageous, sell or otherwise dispose by one or more lots, from time to time, as she may deem advisable, the lots of land hereinafter described, by also establishing before the judge the value thereof, to wit:

The three lots described in the said deed of partition under articles 2, 3 and 4 of the first section of the second part thereof, being all three contiguous to each other and forming together a lot of land measuring about one hundred and fifty-three feet in front by about one hundred and eighteen in depth, more or less, the said lot forming the north-west part of the official lot No. 463 of the Cadastre of St. James Ward of the said city, and bounded in front to the south-west by Berri Street, in rear to the north-east by Labelle street, on the north-west by a lot belonging to Joseph Bourdeau, and on the south-east by the remainder of the said lot No. 463.

2. A lot of land of irregular form, situate in St. Antoine Ward of the said city and forming official lot No. 990 of the cadastre of the said St. Antoine Ward, measuring on an average sixty-six feet in width by one hundred and thirty-three and a-half feet in depth.

Proceeds to be  
invested in  
certain man-  
ner.

2. The said Dame Marie Josephe Thérèse LaRocque may, after having been authorized as aforesaid, leave the monies derived from the sale of the said immovables, or any part thereof, in the hands of the purchaser or purchasers, upon the security of the privilege of the vendor's hypothec, or any other additional security to the satisfaction of the judge, or may, purchase other property in the said city of Montreal, as she may deem advisable; and the investment of the said monies shall be made with the authorization of the judge and cannot be changed without the same authorization; and the said proceeds of the sale or the investment which replaces them, shall, as regards the purposes of the substitution, take the place and stead

of the said lots of land and shall remain subject to the provisions contained in the aforesaid will and codicil of the said late Antoine Olivier Berthelot.

### CAP. XCIII.

An Act to authorize Achille Leduc, the institute under the will of his mother, the late Dame Marguerite Bourgeois, to dispose of the substituted immovables.

[Assented to 10th June, 1884.]

**W**HEREAS Achille Leduc, *alias* Jean Antonio Achille Leduc, gentleman, residing in the parish of Bécancour in the county of Nicolet, has, by his petition, set forth that Dame Marguerite Bourgeois, wife of Sévère Leduc, esquire, merchant, residing in the parish of Bécancour, did, by her solemn will and testament, duly executed at Bécancour before two notaries, one of whom, Maître A. O. Desilets, has kept the original thereof, bearing date the second day of August, one thousand eight hundred and seventy, give and bequeath the residue of all and every her movable and immovable property, which she might leave at her death, to the said Achille Leduc, her son, issue of her marriage with the said Sévère Leduc, her husband, to enjoy the usufruct thereof during his life-time and as institute for the children which might be of him lawfully begotten, to which children, her future grand-children, she gave and bequeathed the ownership of the said residue of all her said movable and immovable property, instituting the said Achille Leduc her sole and only universal usufructuary legatee, and his said children her sole and only universal legatees as to ownership; and that if at the death of the said Achille Leduc there should be no children born or to be born of his lawful marriage, she ordered by the said will that in such case the said property should revert and belong, to be divided by roots, to the children of Victorine Leduc and Eugénie Leduc and Marie Leduc, the daughters of the said testatrix and of the said Sévère Leduc, her husband, and sisters of the said Achille Leduc; and whereas the said Achille Leduc has further represented that amongst the property of the succession of the said Marguerite Bourgeois, there are several lots of land, in the parish of Bécancour and in adjoining parishes, of a width varying from a half arpent to three arpents and of a depth varying from ten to thirty arpents, and which formed part of the community of property be-