

belonging, at public auction or private sale, for cash or on credit, or for part cash and part credit, secured in such manner as to them may seem fit and as they may deem most advisable, and to execute and convey an absolute title thereto to the purchaser or purchasers, thereof, and to grant discharges for the purchase money to and in favor of such purchaser or purchasers, and to do all other acts and things needful in the premises.

Persons purchasing not bound to see to application of price.

2. No person, who under the authority of this act pays any sum of money to the said incumbent and churchwardens or to their successors in office, shall be in any way bound to see to the application of or be answerable for the non-application of the said money or any part thereof.

Proceeds invested in incumbent, &c.

3. The moneys derived from any such sale are hereby vested in the said incumbent and churchwardens and in their successors in office, in trust for the payment of the interest and revenues thereof towards the salary of the said incumbent and his successors for ever.

Incumbent, &c., trustees under 42-43 Vic., c. 30.

4. The said incumbent and churchwardens and their successors in office shall be held to be trustees within the meaning of the act of this province 42-43 Victoria, chapter 30, intituled: "An Act defining the investments to be made by Administrators." If the consent and approval of the bishop of the said diocese be first obtained, they shall have power to change from time to time any investment made by them and to reinvest the proceeds in any manner sanctioned by the said act.

Power to change investment.

CAP. XLVII.

An Act to authorize the Sisters of Providence and the St. Patrick's Orphan Asylum of Montreal to sell certain property.

[Assented to 30th March, 1883.]

Preamble.

WHEREAS the will of John McClosky of the city of Montreal, dyer, received at Montreal on the 11th June, 1860, before Maitre J. E. O. Labadie and colleague notaries, according to law, contains amongst others the following provisions :

"Fourthly. I give and bequeath unto the St. Patrick's Orphan Asylum of Montreal and to the Deaf and Dumb Girls' Institution, established in the said city of Montreal, under

the direction of the nuns called Sisters of Charity of the Providence asylum ; *Sœurs de Charité de l'Asile de la Providence*, in a certain building known and called Hospice St. Joseph, situated near the convent of the sisters of charity of the Providence Asylum, the usufruct and enjoyment of my brick house, two stories high, with the lot of ground, on which it is erected and the outbuildings and appurtenances thereunto belonging, the said property being situated and known under number forty-six, No. 46, in Sanguinet street of the said city of Montreal, and being the same house now occupied by Mr. Thomas Crathern, and adjoining on the south side the property above bequeathed to my nephew, John McClosky Bortler ; which property, so bequeathed to the two institutions above named, shall and will be enjoyed by the said institutions for ever, share and share alike, *à titre d'usufruit*, that is to say, each shall and will have one half of the revenue or income thereof, upon the express condition and charge of keeping the said property annually insured against loss by fire for a sum equal to their value, and in case of destruction by fire in full or in part of the said house, buildings and appurtenances to employ the amount of insurance to repair or rebuild the same immediately after such destruction, and that the revenue or income accruing unto the said institutions, under this my present will, be and remain their sole and private property and it will not be, at any time and under any pretence whatsoever, engaged, alienated, mortgaged, hypothecated, seized or in any other manner encumbered for the payment and discharge of their debts, the said usufruct and enjoyment being by me given to the said institutions for their maintenance, and support ; and it is my express intention and will that the above property, bequeathed in usufruct as aforesaid in favor of the said two institutions, be never sold, but shall remain for ever unsold, because the income thereof belongs to the said institutions as aforesaid ;”

Whereas it has been represented by petition and established that the property above mentioned and described is old and in a state of decay and no longer yields any revenue ;

Whereas it has been represented that the petitioners have not sufficient means for rebuilding the property, and it would be in their interest to be authorized to sell the said immoveable, upon their giving security that the interest accruing from the sale of the said immoveable shall be applied in accordance with the wishes of the testator 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 :

Sale of property authorized.

1. The St. Patrick's Orphan Asylum of Montreal and the Sisters of Charity of the Providence Asylum, Montreal, are authorized to sell the immoveable above described, at such price and upon such conditions as they may deem proper, and the contract, which shall be passed in connection with such sale, shall be valid to all intents and purposes, but the said vendors shall give to the purchaser a guarantee or hypothecary security, to the amount of their respective shares in the proceeds of the said sale, that they will continue to fulfil the obligations imposed upon them by the aforesaid will.

Act in force.

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

CAP. XLVIII.

An Act to confirm the ownership and authorize the sale of certain lands belonging to the *fabrique* of the parish of St. Polycarpe.

[Assented to 30th March, 1883.]

Preamble.

WHEREAS the Reverend J. O. Remillard, rector and J. B. Bourbonnais, François Taillefer and Antoine Lantier, churwardens of *l'œuvre et fabrique* of the parish of St. Polycarpe, have by their petition set forth :

That by a deed of gift bearing date the twentieth of October, one thousand eight hundred and seventy one, before F. O. Ranger, notary, the Reverend Flavien Cholet gave to *l'œuvre et fabrique* of the parish of St. Polycarpe, thereof accepting by a person duly authorized to that effect, a lot of land described as follows, to wit :

"A lot of land, situated to the north of the Rivière à Delisle, in the said parish of St. Polycarpe, in the seigniory of Nouvelle Longueuil, and forming part of the land of the said donor, designated as No. 57, containing forty five feet in front by one hundred and thirty five in depth, exact measurement, bounded in front by the Queen's highway, in rear by the land of the said donor, adjoining on one side to Jean Baptiste Théophile Dorion, esquire, and on the other side to the land of Sieur Joseph Daoust, with two houses adjacent to each other, kitchen and other buildings thereon erected; both the above described houses being now occupied by the Reverend Sisters of Ste. Anne; there is also included in the said deed of gift, and accepted by the donee acting as aforesaid, the lot of land which lies between the said Queen's highway and the said Rivière à Delisle, opposite the land above described, adjoining on one side to the said