

purchase money, in and as far as the same relates to the said John Auld, as such tutor, or his successor in office, shall be in lieu of the said real estate, and the annual interest, issues and profits of such purchase money and all increase thereof shall represent for all legal purposes the annual issues and profits of the said real estate.

Valuation of
lots not sold to
be renewed
every 2 years.

3. The valuation required by the first section of the present act, shall be renewed every second year, if the lots of land so valuated have not been sold during that space of time.

CAP. LXVI.

An Act to authorize John Racey to alienate certain real estate belonging to his minor children.

[Assented to 24th December, 1870.]

Preamble.

WHEREAS John Racey, of the city of Quebec, Esquire, physician and surgeon, has, by his petition, represented that the late John Racey, in his lifetime, of Quebec, esquire, and Dame Sarah Robinson, his wife, have, by their respective wills, dated at Quebec, the fifteenth day of February, eighteen hundred and fifty, devised and bequeathed the usufruct of certain immovable property, described at length in the said petition unto dame Susanna Withington Wise and the property thereof to the said John Racey and his children, with substitution in the event of his dying without issue in favor of Joseph Robert Racey and his children, and in the event of the latter dying without issue, in favor of George Edmund Racey and his children, and in the event of the last named legatee dying without issue, in favor of Susan Cooke Racey and Margaret Sarah Racey, to be equally divided among them both; whereas the said testator and testatrix departed this life many years ago and the said Susanna Withington Wise has become and is now possessed of the aforesaid usufruct; whereas the keeping of the said property is difficult and onerous, and that the same is partly wholly unproductive and for the remainder, of little utility to the petitioner and to the said usufructuary legatee, and that it would be desirable and of greater advantage to the legatees and substitutes above mentioned, to alienate the said immovable property, and to invest the proceeds conformably to the intention of the said wills; whereas the said usufructuary legatee, Susanna Withington Wise, has joined the said John Racey to demand that his petition be granted; Therefore,

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

1. The said John Racey may, with the authorization of a judge of the superior court, given upon the advice of friends and relations, declaring the said alienation to be useful or profitable, sell or otherwise alienate, in one or more lots, from time to time, according as he may judge proper, the lands and property hereinafter described, as follows, to wit :

John Racey may after certain formalities sell certain property of his minor children.

“1. The property, known under the name of ‘Colerne Cottage,’ situate in the parish of Beauport, comprising four lots of land near a mill, the property of James McCalum or his representatives, on the river Ste. Marie, and designated under the letters A. B. C. and D. in a plan drawn by Benjamin Lécuyer, provincial land surveyor, and annexed to the deed of sale by Pierre Séguin and his wife to the said late John Racey, dated at Quebec, before Mtre. Panet and colleagues, notaries public, the eighth of July eighteen hundred and twenty-four, and the real estate, acquired by the said John Racey, through the deed of sale above recited ;

“2. A woodland situate in the parish of Beauport aforesaid, containing one by twenty-five arpents, bounded on the north east side by Pierre Parent, and on the south west side by Pierre Chalifour ;

“3. Another woodland situate in the parish of Beauport aforesaid, in the St. Louis range, containing twenty-five arpents by half an arpent at one end and one arpent and a half at the other end, bounded on the north east side by Alexandre Parent, and on the south west side by Louis Poitevin and Charles Chalifour,” and to execute titles valid in law, for the said lands and property so sold and alienated.

2. The said John Racey may, upon being so authorized, leave the sums of money coming from the sale of the said property or any part thereof, in the hands of the purchaser or purchasers, on the security of the privileged hypothec of *baillieur de fonds*, or he may, on giving security to the satisfaction of the judge, that the said moneys will be employed in the manner hereinafter set forth, take and receive the said purchase money and invest it in dominion stock, or in landed security of this province, or in any legally incorporated bank doing business in the province of Quebec, or in bonds of the corporation of the city of Quebec, as he may judge most advantageous ; and the said purchase money, in so far as the same relates to the said usufructuary legatee and substitutes, shall be in lieu of the said lands and property, and shall be considered as real estate, and the annual interest, issues and profits of such purchase money and all increase thereof shall represent for all legal

How purchase-money may be invested.

How moneys shall be employed.

purposes, the annual issues and profits of the said lands and property, and the said purchase money, capital and interest and revenues shall remain subject, both as to usufruct and as to property, to the dispositions contained in the wills of the late John Racey and his wife, Sarah Robinson, hereinabove referred to.

What proof shall suffice to release sureties.

3. The said moneys shall be employed in the name of the Racey succession, the interest thereon shall be received by the person or persons who, under the said wills, would be entitled to the usufruct of the said real estate, and the principal shall not be drawn except by the person or persons who, under the said wills, have become incommutable proprietors of the said real estate.

4. The certificate, or any other legal proof, of the deposit or employment of the said purchase money shall be held as proof that the objects of the bail-bond have been fulfilled, and shall be sufficient to obtain the radiation of all hypothees which the surety or sureties may have effected.

CAP. LXVII.

An Act to legalize a marriage settlement entered into between Arthur Wellesley White and Caroline Charlotte Young.

[Assented to 24th December, 1870.]

Preamble.

WHEREAS Arthur Wellesley White, a Lieutenant in Her Majesty's Royal Regiment of Artillery, lately residing in the city of Quebec, Caroline Charlotte Young, his wife, and the reverend Richard W. Norman, of the city of Montreal, Clerk in Holy Orders, have by their petition represented :

That on the fourteenth day of March, one thousand eight hundred and seventy, a certain contract of marriage was entered into between the said Arthur Wellesley White and Caroline Charlotte Young, at the city of Montreal, before J. T. Hunter, Notary public, in the words following :

“ Be it remembered, that on the fourteenth day of March, in the year of our lord one thousand eight hundred and seventy, before the undersigned notary public, duly commissioned and sworn in and for the province of Quebec, in the Dominion of Canada, residing in the city of Montreal, in the said province,

