

2. The said Théodore Doucet shall, every six months, during the said ten years, pay to the said Lucie Migneault, his mother, or to the heirs of his father, if his mother should die within the said ten years, one half of the fees and emoluments received by him for searching and delivering copies of any of the said minutes in his custody, as the prothonotary would have been bound to do under the said chapter seventy-three of the consolidated statutes aforesaid; and such fees and emoluments, to be charged by the said Théodore Doucet, shall be those authorized by the then existing tariff regulating the fees and emoluments to be paid to the prothonotary; and he shall also be bound to pay the treasurer of the province, such percentage on the half of the fees and emoluments belonging to him, as may from time to time, be regulated by order in council.

Said son to pay his mother a certain share of the moneys derived therefrom.

C. S. L. C. c. 73.

He shall charge the same fees as the prothonotary, and shall pay a percentage.

3. The said Théodore Doucet shall keep the said minutes, repertories and indexes, in a safe and sufficient fire-proof vault, in the said city of Montreal, and have the same open, when required, to such inspection thereof, from time to time, as the lieutenant-governor, by warrant under his hand and seal, may direct.

He shall have a fire-proof vault.

4. The said Théodore Doucet, after the passing of this act, shall give such security, in such manner and form, for such an amount, and within such delay, as the lieutenant-governor in council shall direct; and in the event of the said security becoming at any time insufficient, he shall renew the same.

He shall give security.

5. At the expiration of the said ten years, or sooner, if the said Théodore Doucet should die within the said period, or should wish to give up the said custody, or should from any cause cease to practise, or should fail to conform to the provisions of this act, the said minutes, repertories and indexes shall fall under the provisions of the said chapter seventy-three of the consolidated statutes for Lower Canada, and be deposited with the prothonotary of the district of Montreal, who shall keep them and deliver copies thereof, and be bound toward the widow and heirs of the said late Théod. Doucet, in the manner provided by the last mentioned statute.

In certain cases the minutes shall be deposited with the prothonotary under c. 73, C. S. L. C.

C A P. L V I I I.

An act to facilitate the partition of the Estate of the late John Coffin.

[Assented to, 24th February, 1868.]

WHEREAS Edward Lewis Montizambert, of the city of Quebec, Esquire, advocate, curator to the vacant estate and succession of the late John Coffin, Esquire, in his lifetime of the said city of Quebec, assistant-commissary-general, deceased; Robert Hamilton, of the said city of Quebec, Esquire, attorney of Henry Craigie and Henry Cheyne, both of Edinburgh, in Scotland, writers to the signet, trustees,

Preamble.

executors, and administrators of the estate of the late Margaret Coffin, relict of the late lieutenant-general Sir Roger Hale Sheaffe, baronet, deceased, and also attorney of Alured Charles Mac Murdo, Esquire, captain in her majesty's army, unattached and of Robert Mac Murdo, Esquire, of the Whitten, in the county of Hereford, in England, sons of the deceased, Isabella Coffin, widow of the deceased colonel Charles Mac Murdo, and also attorney of John Craigie, Esquire, advocate, sheriff's substitute of Roxburghshire, in Scotland, executor and residuary legatee of the deceased Susan Coffin, widow of the late John Craigie, Esquire, in his life time of Quebec aforesaid; and William Foster Coffin, Esquire, of the city of Ottawa, in the province of Ontario, ordnance land agent, attorney of Isaac Campbell Coffin, Esquire, lieutenant-colonel, residing at Dharwan in the East Indies, and of Seabright Sheaffe Coffin, Esquire, residing at Nagpore, in the East Indies, and of Isabella Ann Coffin, widow Galloway, Edward Fletcher, Esquire, and Mary Ann Coffin, his wife, and Maria Sarah Coffin, Spinster, all of the city of Bath in England, and James Thompson Macky, of Londonderry, in Ireland, banker, and Caroline Coffin, his wife, and John Carteret Scott, of Mallany, near Edinburgh aforesaid, and Emily Coffin his wife, and John Murray, Esquire, of Redhill, near Reigate, in the county of Surrey, in England, and Frances Wilmot Coffin, his wife, and also attorney of Hugh Vaughan, Esquire, of Crete Hill in the parish of Westbury, upon Trim, in the county of Gloucester, in England, and Isabella Coffin his wife, and the reverend George Pakenham Despard, of Redland, in the parish of Westbury upon Trim, in the city and county of Bristol, in England, and Emily Coffin, his wife, and of Charles Martin, Esquire, of Clifton, in England, late a captain in her majesty's ninety-fifth regiment of infantry, and Mary Eliza Coffin, his wife, have by their petition represented that to the best of the knowledge and belief of the said petitioners, the said estate and succession of the said late John Coffin, has come to be vested in the said Henry Craigie and Henry Cheyne, as trustees, executors and administrators of the estate of the said late Margaret Sheaffe, and in the said Alured Charles Mac Murdo, Robert Mac Murdo, John Craigie, Isaac Campbell Coffin, Seabright Sheaffe Coffin, Isabella Ann Coffin, widow Galloway, Edward Fletcher and Mary Ann Coffin his wife, Maria Sarah Coffin, James Thompson Macky and Caroline Coffin his wife, John Carteret Scott and Emily Coffin his wife, John Murray and Frances Wilmot Coffin his wife, Hugh Vaughan and Isabella Coffin his wife, the reverend George Pakenham Despard and Emily Coffin his wife, and Charles Martin and Mary Eliza Coffin his wife; that the proceeds of the personal estate and the rents, issues and profits of the real estate of the said late John Coffin, after payment of his debts, have been from time to time accounted for and paid over and divided by the said Edward Lewis Montizambert, as such curator as aforesaid, to and between the said Robert Hamilton and William Foster Coffin, as such attorneys

as aforesaid; that the estate and succession of the late John Coffin now consists solely of the capitals and arrears of certain constituted rents, being the prices of, and secured by hypothec and privilege of *bailleur de fonds* upon certain lots of land at the place called *Près-de-ville*, in Champlain ward, in the city of Quebec, sold by the said late John Coffin in the years one thousand eight-hundred and twenty-six and one thousand eight hundred and twenty seven; that the capitals of the said constituted rents could not conveniently be divided in kind among the heirs of the said late John Coffin, and that unless the curator to the vacant estate and succession of the said late John Coffin be authorized by law to sell the same, as well as the arrears of the said constituted rents, and divide the proceeds among the said heirs, the partition of the said estate and succession may be delayed for an indefinite period of time; and have accordingly prayed that an act may be passed for the purpose of facilitating the partition of the said estate and succession by authorizing the sale of the capitals and arrears of the said constituted rents; and whereas it is just and reasonable that the prayer of the said petition should be granted;—Therefore, Her Majesty by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The curator to the vacant estate and succession of the said late John Coffin is hereby authorized and empowered, in his discretion, from time to time, and at such time or times as he may judge to be most advantageous, to sell and dispose of the capital or capitals of any or all of the constituted rents due to the said estate, as well as any arrears of such constituted rent or rents, and that either by public auction or by private contract, and to receive the price of any such sale or sales and give a good and valid acquittance and discharge for the same, and thereupon to assign, transfer and convey to the purchaser or purchasers of such constituted rent or rents, or of such arrears thereof, all the estate, right, title, interest, property, claim and demand whatsoever of the said vacant estate and succession, and of the heirs or other legal representatives of the said late John Coffin, therein and thereto, and to make and execute a deed or deeds of assignment thereof, which, when duly signified to the debtor or debtors of such constituted rent or rents, shall be as good, valid and effectual as if made by a person owning the same in his own right.

The curator to the vacant succession authorized to sell the capitals of certain constituted rents.

2. The said curator may, if he see fit, and he is hereby authorized and empowered to, compromise and compound with any debtor of any such constituted rent, or with any person possessed as proprietor of any lot of land hypothecated as security for the payment of any such constituted rent, for the redemption thereof by the payment of a sum less than the capital thereof, and may accept such sum as may be agreed upon by him and such debtor or other person in full for the redemption of such rent, and may make, sign and execute such deeds as may be necessary for such purpose.

He may also compound with the debtors of said rents for their redemption.

After having paid over and rendered his account, he shall be discharged.

3. When the said curator has accounted to the said William Foster Coffin and Robert Hamilton, as such attorneys as aforesaid, or other the lawfully constituted attorney or attorneys in this province, of the heirs and other legal representatives of the said late John Coffin, for the proceeds of the sale or sales or redemption of all the constituted rents so due as aforesaid and of the arrears thereof, as well as for all sums of money by him collected and received on behalf of the said estate, and has paid over to them the balance remaining in his hands after the deduction of such costs and charges as may be allowed by them, their full and final receipt and acquittance shall wholly release and discharge him from all liability as such curator and towards the heirs and other legal representatives of the said late John Coffin, and his account as such curator shall be thereby finally and legally closed.

C A P. L I X .

An act to authorize the Montreal board of notaries to admit, after examination, Norbert Damase Daniel Bessette, to practise as notary.

[Assented to, 24th February, 1868.]

Preamble.

WHEREAS Norbert Damase Daniel Bessette, of the village of Richelieu, in the county of Rouville, in this province, has, by his petition, stated and represented that he was duly bound by indentures unto Mtre. Joseph Tessier, notary, and that such indentures were duly registered in the office of the board of notaries of Montreal on the nineteenth day of January one thousand eight hundred and forty-nine, as it appears by the certificate of the secretary of such board filed with his petition, and that although the said Norbert Damase Daniel Bessette has been under the necessity of suspending his regular studies, he, nevertheless, has continued them from time to time; and whereas by the said petition he prays that any board of notaries in the province of Quebec upon due and satisfactory examination be authorized to admit him to practise as notary and it is expedient to grant the said petition;

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

Board of Notaries may admit N. D. D. Bessette after examination.

1. The board of notaries for the district of Montreal upon due proof to their satisfaction, after he has passed the examination required of candidates for admission to the said profession, that the said Norbert Damase Daniel Bessette has a sufficient knowledge of law, as well as of the practise of the notarial profession, shall admit the said Norbert Damase Daniel Bessette to practise as a notary, any law or usage to the contrary notwithstanding.