

said lot of land herein above described, by deed of sale passed, at Saint Hyacinthe, before. Jos. C. Désautels, notary, on the 11th June, 1888, and registered in the aforesaid registry office, on the 16th June, 1888 ;

Whereas the orders of the court have been duly carried out and the proceeds of the sale of the said immoveable have been invested in real estate for the purposes of the said substitution ;

Whereas the said J. O. Dion prays for a confirmation and ratification of such deed of sale, and whereas it is just 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.

1. The deed of sale of the lot of land described in the preamble of this act, made by Pierre Picotie and Herménie Richer, institutes, Magloire Dumaine, curator, and others, in favor of the said J. O. Dion, before. Jos. C. Désautels, notary, on the 11th June, 1888, and registered in the registry office of the counties of Hochelaga and Jacques-Cartier, on the 16th June, 1888, is hereby confirmed and ratified and declared valid and lawful, notwithstanding the said substitution and any irregularity, and, therefore, the said J. O. Dion, shall remain the absolute owner of the said lot of land under and in virtue of the said deed of sale.

Certain deed
of sale declared
valid.

2. The said purchaser, J. O. Dion, shall not be responsible, as regards the said substitution, for the investment of the price of sale, and he shall be completely discharged by the acquittance given to him in the said deed of sale by the said institutes and curator.

Purchaser
not responsible
for investment
of price.

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

Coming into
force.

C A P. C I V .

An act to authorize the hypothecation of certain immoveables substituted in favour of the children of François Mandeville.

[Assented to 21st March, 1889]

WHEREAS there exists a deed of gift *inter vivos*, passed before M.L.A. Grenier, notary, on the 23rd March, 1885, duly registered in the office of the registration division of the counties of Hochelaga and Jacques-Cartier, on the 26th of the said month, by which the late François Xavier

Preamble.

Beaudry, in his life time of the city and district of Montreal, gentleman, gave to François Mandeville, notary, heretofore of Outremont, in the district of Montreal, the immoveables mentioned in the said deed, that is to say :

“ A lot of land or emplacement situate and being in the town of St. Jean Baptiste, forming the south-west corner of Cadieux and St. Jean Baptiste streets, with a wooden house thereon constructed and as enclosed, the said lot being known and designated upon the official plan and book of reference of the town of St. Jean Baptiste under the number ninety-six (96).

2. A lot of land or emplacement situate and being in the municipality of Outremont, in Côte Ste Catherine, parish of Saint Enfant Jésus, containing one arpent and three perches in front by about three arpents and one half in depth, the above more or less and without guarantee of exact measurement, with a three story wooden house, coach-house, stables and other buildings thereon, and as enclosed, the said lot being known and designated upon the official plan and books of reference thereto of the municipality of Outremont in the county of Hochelaga, under the number fifty-seven (57) and being the official number fifty-seven (57) of the village of Côte-des-Neiges ” ;

Whereas the said François Mandeville has accepted the said gift ;

Whereas, by the gift of the said immoveables, the said donee was to make use of and enjoy the same as a prudent administrator during his lifetime and after his death they were to belong to his five sons : François Thomas Heliodore, Elie Toussaint, Arthur Achille Adélar, Joseph Antonin and Joseph Edgar ;

Whereas it was stipulated in the said deed that the said donee could not, for any reason, sell, exchange, alienate, bind or hypothecate the property aforesaid, the donation being considered as a provision and alimentary allowance both for himself and for his five children aforesaid ;

Whereas, at a family council duly convened according to law and held on the thirteenth January, one thousand eight hundred and eighty-seven, before the prothonotary of the Superior Court of the district of Montreal, Charles Bruchesi, advocate, of the city of Montreal, was duly chosen and appointed curator to the said substitution in the place of François Thomas Heliodore Mandeville who had resigned ;

Whereas, by a judgment dated the 14th March, 1887, and rendered by the Superior Court for the district of Montreal, upon a petition presented by the said François Mandeville, the institute, and Charles Bruchesi, curator,

after a family council duly convened before the said court, the said Charles Bruchesi, in his capacity of curator to the said substitution was, jointly with the said institute, authorized to borrow an amount of eight thousand dollars at a rate of interest not exceeding eight per cent per annum and for a period not exceeding five years, with power to mortgage the said two above described lots ; such loan was authorized for the purpose of having buildings erected on the said property, the value whereof would represent such amount, so as to enable the said institute to derive some benefit from the said property, given as aforesaid, the buildings then on the said property having become uninhabitable and such that they could not be leased for an amount sufficient to pay the taxes on the property ; whereas the institute and the curator discounted notes at different banks or with contractors and caused houses to be built on the said two lots of the value of five thousand two hundred dollars ; whereas, moreover, since the date of the said gift *inter vivos*, the said institute has, with his own moneys, had repairs and improvements made to the said property to an amount of eight hundred dollars ; whereas, out of the total amount of six thousand dollars above mentioned, the institute has supplied two thousand dollars of his own money, leaving a balance of four thousand dollars now due by the institute and the curator to the said substitution ;

Whereas, in order to enable the said institute to draw a larger revenue from the substituted immoveables, an amount of four thousand dollars would be necessary to build two other houses on the said two lots above described, and the erection of such buildings would have the effect of doubling the revenue from the said substituted immoveables, to the great advantage of the institute and substitutes under the said substitution ;

Whereas the petitioners have established the essential allegations of their petition, and it is expedient to grant their prayer ;

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

1. The said institute and the curator appointed to the said substitution created by the gift *inter vivos* by the late François-Xavier Beaudry are authorized to contract a loan to an amount not exceeding eight thousand dollars. Certain loan authorized.

Of this amount, four thousand dollars shall be devoted : Application thereof.

1 To the payment of the debts contracted for the erection of the aforesaid buildings and of the improvements made to the said immoveables since the passing of the said deed of gift *inter vivos* ;

2. The repayment to the said institute of the advances by him made.

The balance of the amount loaned shall be employed in erecting new buildings on the said property, and such balance shall be applied and paid out as the work of construction progresses and upon the order of the architect charged with the superintendence of the works.

Property may be hypothecated as security for such loan.

2. The said institute and curator are, for the purposes and with the intention as set forth in section one, authorized, as security for the said loan, to hypothecate the two above described lots or either of them or only a portion of them in favour of the lender, a loan society, financial institution or private person and to enter into all deeds necessary for the purpose.

Coming into force.

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

C A P . C V .

An Act to better provide for the construction, furnishing and decoration of the church and sacristy of the parish of Saint Charles Borromée of Joliette in the diocese of Montreal.

[Assented to 21st March, 1889.]

Preamble.

WHEREAS the apportionment authorized by the act to facilitate the construction of a church and sacristy in the parish of Saint Charles Borromée de Joliette in the diocese of Montreal (46 Victoria, chapter 43) is insufficient to complete the construction of the aforesaid church and sacristy ;

Whereas, by their petition, the Reverend L. A. D. Maréchal, vicar-general and administrator of the diocese of Montreal, the trustees of the parish of Saint Charles Borromée de Joliette, in the county of Joliette, and the great majority of the free-hold inhabitants of the said parish have prayed for the passing of an act to authorize a new apportionment to the amount of eighteen thousand dollars and giving the said trustees power to contract loans to the amount of twenty-five thousand dollars, for the purpose of completing, decorating and furnishing the said church and sacristy, and, for securing the repayment of such loan, to hypothecate, with the authorization of the diocesan authority, the immoveables belonging to the Roman Catholic corporation of Montreal in virtue of a donation of the late B. Joliette ;