

more of the persons to whom the aforesaid powers are among per-
 given, a judge of the Superior Court for the district of sons em-
 Quebec, may, on a petition by the survivors or any other powered to
 interested party, select and appoint another proper person sell.
 from among the interested parties, to act with those
 remaining in office and with the same powers as the person
 replaced.

6. In every operation whether connected with aliena- Majority
 tion or with administration, authorized by this act, all to govern.
 decisions shall be taken by the majority of the five persons
 appointed by this act or their representatives.

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

C H A P. 125

An Act to authorize Frédéric Ethier to sell certain sub-
 stituted properties.

[Assented to 19th February, 1914]

WHEREAS Frédéric Ethier, farmer, of the parish of Preamble.
 Sault-au-Récollet, county of Laval, has, by petition,
 represented:

That, by deed of gift executed on the fifth day of Novem-
 ber, 1904, before Wenceslas Levesque, notary public, and
 duly registered, Frédéric Ethier, senior, in his lifetime,
 farmer, of the said parish of Sault-au-Récollet, county of
 Laval, gave amongst other property:

1. A lot of land situate in the said parish de la Visi-
 tation du Sault-au-Récollet, then in the county of Hoche-
 laga, containing two arpents in front by thirty-eight ar-
 pents in depth, more or less, bounded in front by the
 Rivière des Prairies, in rear by the lots of Côte St. Michel,
 on the northeast by the donor, and on the west by Frs.
 Dagenais, with a stone building, barn and other buildings
 thereon erected, the said lot being the greater portion of
 lots 58 and 59 of the official plan and book of reference of
 the said parish of Sault-au-Récollet;

2. A lot of land situate on the east side and adjoining
 the land above described, being about half an arpent in
 width by about thirty arpents in depth, more or less, and
 bounded on the east by Adolphe Drapeau, on the south
 by the lots of Côte St. Michel and on the north by Dame
 Lachapelle or representatives, without any buildings

thereon, the said lot being known and designated under the number 51 of the cadastre of the said parish of Sault-au-Recollet;

That the said Frédéric Ethier, senior, is dead;

That the said lots were so donated on condition that the donee should keep them, in order to transmit them to his children or, in default of children, on condition that they revert to the donor, to his wife or their legal representatives;

That Frédéric Ethier is now the father of four living children;

That the said lots above mentioned cannot suffice for the subsistence of Frédéric Ethier's family;

That the said lots have become very valuable since the date of the deed of gift to him;

That, owing to the substitution created by the deed of gift by the said Frédéric Ethier, senior, it is impossible to sell or alienate any portion of the said land, without asking in each case the authorization of the court, of a judge or the prothonotary, by calling a family council and observing all the other formalities required by the general laws of the Province, as regards the use or alienation of substituted property;

That the expenses incurred in the past, in fulfilling the conditions of the deed of gift, were all at the charge of the institute, have been enormous and have even exceeded the revenues, and, unless a remedy be provided for the future, the fulfilment of the formalities required for the alienation of the substituted property will financially ruin the institute, will affect and delay the sale of the said lots and thereby cause damage to the said Frédéric Ethier;

That it is in the interest of the said Frédéric Ethier, as well as in that of his children, to sell the said land, partly or wholly, by private sale and by mutual agreement, for a suitable price, after having previously obtained the consent of the family council duly homologated.

That it is in the interest of the said Frederick Ethier as well as in that of his children that he be authorized to borrow a sum of money not exceeding ten thousand dollars at the rate of two thousand dollars for the first year and a thousand dollars each year thereafter up to the said sum of ten thousand dollars, and that he may hypothecate the said immoveables or part thereof;

And whereas the said petitioner has prayed for the passing of an act to authorize him to sell the said land by private sale by mutual consent, notwithstanding the conditions contained in the deed of gift above mentioned, and it is expedient to grant his prayer;

Therefore, His Majesty, with the advice and consent

of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The petitioner above named and the curator to the Alienation substitution after having previously obtained the consent of property of the family council duly homologated, is authorized to under certain sell the said immoveables in part or the whole, by private conditions, sale, and to receive the purchase price and give good notwithstanding, valid discharge to the purchaser, provided the purchase price terms of price be invested or deposited in accordance with the provisions of article 953a of the Civil Code; and the purchaser deed of gift. is freed from following the purchase price once for all when it shall have been invested in accordance with the provisions of parargaphs 3 and 4 of the said article, or has been deposited in accordance with paragraph 5 of the same article.

2. The petitioner may borrow and secure by hypothec Authorization on the said immoveables the sum of ten thousand dollars at a rate of interest not exceeding seven per cent yearly, at the rate of two thousand dollars the first year and thereafter at the rate of one thousand dollars yearly up to the said sum of ten thousand dollars, and this in accordance with this act, without any authorisation being required for this purpose, and without any concurrence on the part of the curator to the substitution. hypothecate.

3. The expenses incurred in obtaining this act shall Expenses of be charged to the substitution, and the institute shall have this act to be a right to take the said amounts necessary to pay them out paid by substitution. of the amount borrowed under this act.

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

C H A P. 126

An Act to permit the definitive sale of the properties mentioned in a certain deed of gift by Polydore Desjardins and his wife to Joseph Desjardins, dated 16th February, 1903.

[Assented to 19th February, 1914]

WHEREAS by their petition, Dorcina Desjardins, widow Preamble. of the late Joseph Desjardins, in his lifetime farmer of St. Joseph du Lac, county of two Mountains, acting in her capacity of tutrix to her minor daughter, Marie