



CHAPTER 166

An Act respecting the estate of the late Honourable Joseph Masson

[Assented to, the 20th of March, 1930]

WHEREAS Raymond Masson, sculptor, of the city of Preamble.
Outremont, district of Montreal, Joseph Maurice
Bastien, advocate, Alphonse Milette, administrator, the
last two of the city and district of Montreal, and Roderick
B. Masson, manufacturer, of the town of Terrebonne, dis-
trict of Terrebonne, being all the testamentary executors
and trustees of the properties of the estate of the late
Honourable Joseph Masson, in his lifetime, merchant, in
the said city and district of Montreal, acting in their above
capacity, have, by their petition, represented:

That by his will made before Mtre. C. E. Belle and
colleague, on the 26th of December, 1845, the late Hon-
ourable Joseph Masson bequeathed all his properties in
trust to the testamentary executors and trustees to be
named in accordance with the provisions of his will;

That the testator further ordered that all the moveable
and immoveable property which he left at his death was to
be divided into as many equal parts as he left children;
that all the revenues from the said property be capitalized
for ten years after his death and, at the expiration of such
period, delivery be made to all his children of the age of
majority, for their lifetime, of half the revenues derived
from the property composing the share attributed to each
of them, and also of half the revenues from the properties
acquired during the ten years following his death, as well
as from those acquired with the other half of the revenues
from the properties composing the respective shares, and
that such revenues revert, after the death of each child, to
the children born in legitimate marriage to each of them

respectively, and be substituted from descendant to descendant, indefinitely, or as long as the law permits;

That, moreover, the testator provided for the replacing of the testamentary executors and trustees appointed in the will for as long as the substitution created as aforesaid should last;

That in fact the estate of the late Honourable Joseph Masson has, ever since his death, been administered by testamentary executors and trustees appointed under the provisions of his will;

That, at the death of the testator, the properties composing his estate were divided into nine shares or lots, eight of such lots being assigned respectively to each of the eight children of the testator;

That lot number five was assigned to Isidore Candide Edouard Masson, and amongst the properties composing such lot were, in particular, two immoveables, one of which included lots numbers D-4 and D-5 of the official subdivision of the original lot number 1144 of the official plan and book of reference of the cadastre of St. Antoine Ward, and the other included the lots of land numbers D-1, D-2, and D-3, of the official subdivision of the same original lot;

That on the 21st of April, 1920, Georges Edouard Masson, grandson of Isidore Candide Edouard Masson, was the only one interested in the former of the two immoveables aforesaid, subject to the seizin of the testamentary executors and trustees of the late Honourable Joseph Masson, and that he then sold said immoveable to the Royal Bank of Canada for the price of one hundred thousand dollars stipulated payable cash, by the terms of a deed of sale received before Victor Morin, N.P., in which he was represented by the testamentary executors and trustees of the estate of the late Honourable Joseph Masson, then in office;

That, subject to the same seizin, the only ones interested in the second of the two immoveables aforesaid, from or about the 14th of November, 1928, were Léopold Masson, physician, of Montreal, Hercule Masson, agent, of the town of Terrebonne, district of Terrebonne, and their minor children, and this as a result of the will of the late Raoul Masson, in his lifetime physician, of the city of Montreal;

That by deed received before Mtre. Victor Morin, N.P., on the 24th of December, 1929, the petitioners, in their aforesaid capacity, have, themselves, also sold the immoveable, secondly described, to the Royal Bank of Canada, for the price of two hundred thousand dollars, and in that

act intervened the persons interested previously mentioned, as well as the testamentary executors of the late Raoul Masson;

That the nature and extent of the seizin established by the late Honourable Joseph Masson, in favour of his testamentary executors and trustees, have been variously interpreted by the courts, and that consequently doubts have arisen as to the legality and validity of the above-cited deeds of sale;

That it is desirable for all parties interested that such doubts be removed, and that the aforesaid sales be ratified, confirmed and validated;

Whereas the petitioners have prayed for the passing of an act to ratify, confirm and validate the above two sales;

Whereas it is expedient to grant such 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 sale established by the deed received before ^{Sales ratified.} Mtre. Victor Morin, N.P., on the 21st of April, 1920, under the number 17505 of his repertory, and registered in the registry office of Montreal West, under number 165829, made by Georges Masson to the Royal Bank of Canada, of the immoveable property described in the said deed, as well as the sale established by deed before Mtre. Victor Morin, N.P., on the 24th of December, 1929, under the number 20632, and registered in the registry office of Montreal, entered into by the petitioners, in their capacity of testamentary executors and trustees of the estate of the late Honourable Joseph Masson, of the immoveable property declared in the said deed, are hereby validated, ratified and confirmed for all legal purposes, insofar as the said sales would be invalid by reason of the facts above stated.

2. This act shall come into force on the day of its ^{Coming into force.} sanction.