

C H A P. 149

An Act respecting the estates of Barbara Eleonore Poupore
and William Joseph Poupore

[Assented to, the 15th of March, 1924]

Preamble.

WHEREAS Mary Ida Margaret Poupore, in religion known as Reverend Sister St. James, of the Order of the Ursulines, of the city of Quebec; Mabel Eleonore Poupore, spinster, of the full age of majority; Joseph Guy Poupore, contractor; Mary Blanche Poupore, spinster, of the full age of majority; Gerald C. Purcell, manufacturer's agent, of the city of Montreal, in his capacity as curator duly appointed to the person and property of William John Poupore, of the city and district of Montreal, by judgment of the Superior Court for the district of Montreal, dated the 2nd day of November, 1918; Ray Rodolphe Poupore, gentleman; in their quality of heirs-at-law of their mother, the late Barbara Eleonore Poupore; and the said Mabel Eleonore Poupore, Joseph Guy Poupore, Mary Blanche Poupore, Gerald C. Purcell, *es qual.*, Ray Rodolphe Poupore, in their quality of universal residuary legatees of their father, the late William Joseph Poupore, have, by their petition, represented:

That the late Barbara Eleonore Poupore, in her lifetime of the city of Westmount, wife common as to property of the late William Joseph Poupore, in his lifetime of the city of Westmount, died intestate in the city of Westmount on the 21st day of June, 1917, leaving as her sole heirs and representatives six children, issue of her marriage with the said William Joseph Poupore, to wit: Mary Ida Margaret Poupore, Mabel Eleonore Poupore, Joseph Guy Poupore, Mary Blanche Poupore, William John Poupore and Ray Rodolphe Poupore;

That, on the 17th day of August, 1918, the said late William Joseph Poupore died at the city of Westmount, leaving a will in holograph form, which said will was duly probated by judgment of the Superior Court for the district of Montreal, on the 29th day of August, 1918, and registered in the registry office, registration division of Hochelaga and Jacques-Cartier, on the 30th day of January, 1920, as more fully appears on reference to the said will and probate thereof;

That by his last will, William Joseph Poupore made the said Mabel Eleonore Poupore, Joseph Guy Poupore, Mary Blanche Poupore, William John Poupore, and Ray Rodolphe Poupore his residuary legatees, the said Mary Ida Margaret Poupore a special legatee, and the said Peter E.

O'Brien, Joseph Guy Poupore, and Fred Leslie Monk, his executors, without extending their powers beyond the year and a day fixed by law;

That the estates of the said late Barbara Eleonore Poupore and William Joseph Poupore, include real estate, real rights, mortgages, hypothecary claims, timber limits, timber licenses, mining rights, leases, land leases, options, shares, bonds, debentures, debenture notes, securities of various forms in financial, commercial, industrial and municipal corporations, and moveable and immoveable property of every kind and description;

That the said estates are indebted in large sums of money, payment of which is secured in part by mortgages, hypothecs, and pledges of, on, and against the assets of the said estates;

That, by judgment of the Superior Court for the district of Montreal, Guerin, J., rendered on the 2nd day of November, 1918, duly registered in the registry office of the registration division of Montreal-East under No. 108591, William John Poupore, one of the aforesaid heirs and residuary legatees, was duly interdicted and Gerald C. Purcell, one of the aforesaid petitioners, was duly appointed curator to his person and property;

Whereas the petitioners have prayed that it is in the interests of all concerned that an act be passed authorizing and empowering the said Gerald C. Purcell, curator duly appointed to the person and property of the said William John Poupore, and his successors in office, without judicial or other formalities, to join with the other representatives, heirs, and legatees of the said estates of the said Barbara Eleonore Poupore and William Joseph Poupore, from time to time, as occasion may present itself, on such terms and conditions as may be agreed upon, in disposing of or dealing with the property of the said estates; and

Whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Gerald C. Purcell, curator to the person and property of the said William John Poupore, while duly in office and acting in his said quality, and likewise his successors in office, is authorized and empowered, without judicial or other formalities, to join with the other representatives, heirs, and legatees of the said estates of the said Barbara Eleonore Poupore and William Joseph Poupore, from time to time, as occasion may present itself, on such terms and conditions as may be agreed upon, to sell, promise and

Curator of
W. J. Poupore authorized to join
representatives of certain estates in certain cases.

agree to sell, exchange, alienate, hypothecate, transfer with or without legal warranty, and generally in every way deal with the real estate, real rights, mortgages, mortgage and hypothecary claims, timber limits, timber licenses, mining rights, leases, land leases, options, shares, bonds, debentures, debenture notes or securities of various forms in financial, commercial, industrial or municipal corporations, and moveable and immoveable property of every kind and description or any other assets comprised in the said estates, or in which said representatives, heirs, and legatees may be interested, and to receive any and all sums due or to become due and delegate payment thereof whether in capital or interest, and give valid acquittances therefor, and the said curator, or his successors in office, without judicial or other formalities, is authorized and empowered to join likewise in the collection of all moneys or things due the said estates, in all actions at law or otherwise required to enforce same, in the settlement or compromise of any such claims, and in the giving of good and valid receipts for any and all sums due and payable to the said estates, or for the amount of any compromise thereof, and moreover the said curator is authorized to agree, without judicial or other formalities, for and on behalf of the said William John Poupore, to a division of the said estates, in whole or in part, and to join in liquidating the debts of said estates, in whole or in part, by applying thereto the moneys derived from the sale or sales of, or dealings with, the assets thereof, and the said curator is authorized to join with the said representatives, heirs, and legatees in the disposal of, or dealings with, the assets of the said estates, or the division thereof, in such manner as he deem advisable, either in the liquidation of the debts of the estates, or otherwise, and without any obligation on the part of persons dealing with the estates, or with the said curator, to see to the re-investment of any sums paid to the said estates or either of them, or to the said curator, and for any and all such purposes the said curator acts, either in person or as represented by an agent, but the final division of the estates must be approved by a family council and by a judge of the Superior Court.

Costs of the act.

2. All the costs in connection with the passing of this act shall be paid out of the capital of the said estates.

Coming into force.

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