

have all the powers conferred upon the executors by the said will and by this act, provided always that one of said executors shall be a trust company duly authorized to act as such in the Province of Quebec, and thus to continue until the final winding up of the estate. The said Eastern Trust Company, or any other trust company named or appointed in its place as executor, shall be the custodian of the securities, books, accounts and monies of the estate, and shall have the administration thereof, subject at all times to the approval of its co-executor.

Payment of costs. **4.** The estate shall pay the costs, disbursements and fees incurred in connection with the passing of this act.

Coming into force. **5.** This act shall come into force on the day of its sanction.

C H A P. 151

An Act to authorize Napoléon Rosconi and Francis Rosconi of the city of Montreal to make a loan, giving as hypothecary security the immoveable property bequeathed to them by the late Francis Rosconi, Senior

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

Preamble. **W**HEREAS Francis Rosconi, gentleman, of the city of Montreal, and Napoléon Rosconi, commercial traveler, of the same place, have, by their petition, represented:

That on the 1st of March, 1913, before Mtre. Léandre Bélanger and Mtre. J. A. Emile Boileau, notaries, Francis Rosconi, Senior, made his will in the notarial form;

That the said Francis Rosconi, Senior, died on the 3rd of October, 1913;

That in and by his said will the said Francis Rosconi, Senior, gave and bequeathed to Francis Rosconi, his son, an immoveable property situated in Montreal on St. Catherine Street, at the corner of Wolfe Street, measuring thirty-nine and one-half feet in width by seventy-seven feet in depth, the whole English measure and more or less, with a house and other dependencies thereon erected, bearing the numbers 574, 576 and 580 of St. Catherine Street East, and numbers 300 and 306 of the said Wolfe Street; the said property consisting of the lot of land known and designated under the number six hundred and one

(601) on the official plan and book of reference of St. James Ward in the city of Montreal;

That in and by his said will the said Francis Rosconi, Senior, gave and bequeathed to his son Napoleon Rosconi, an immoveable property situated in Montreal, on St. Catherine Street East, adjoining the Quebec Bank, measuring forty-three and one-third feet in width by seventy-eight feet in depth, the whole English measure and more or less, with a house and other dependencies thereon erected, bearing the numbers 562, 564 and 566 of the said St. Catherine Street East; the said property consisting of part of a lot of land known and designated under the number five hundred and seventy-nine (Part 579) on the official plan and book of reference of St. James Ward in the city of Montreal, the said part of the lot being bounded: in front by the said St. Catherine Street East; in rear by lot number five hundred and eighty (580) on the said plan; on one side by the part of the said lot five hundred and seventy-nine (579) on the said plan belonging to the Quebec Bank; and on the other side by the lot of land number six hundred (600) on the said plan;

That under the said will the said Francis and Napoléon Rosconi are bound to keep the above-mentioned immoveable properties, and to hand the same over to their children, or, failing the latter, to the nearest relatives of the testator, at the opening of the substitution;

That under the said will it is forbidden for the said Francis and Napoléon Rosconi to alienate the said properties and their fruits or revenues until the opening of the respective substitutions, unless such alienation of immoveables is made in accordance with article 953 of the Civil Code;

That the above mentioned immoveable properties, at the date of the death of the testator, were very old properties, in bad repair, practically impossible to rent without making considerable repairs and rebuilding, their value consisting merely in the land, and in that condition, not only not returning any revenue to the petitioners but not making sufficient return to pay the taxes, and that they would finally have to be sold by judicial sale;

That on the 3rd of March, 1923, the petitioners had Mr. Edmond J. Hardy, of Montreal, regularly appointed by the Superior Court of Montreal as curator for the substitution;

That subsequently, to wit, on the 6th day of April, 1923, by virtue of a judgment of the Honourable Mr. Justice Coderre, the said Francis Rosconi was authorized to borrow a certain amount, and to give to the lenders as hypothecary security the above-mentioned immoveable property to him

bequeathed, but that, notwithstanding such judgment, he was unable to make such loan, the legal advisers of the prospective lenders fearing the interpretation of article 11 of the said will;

That the only way in which they would be able to keep the said properties for the substitutes in the substitution, was to have the said repair and reconstruction work done on the said properties by their lessees, by giving the latter long leases and a reduction in rent equal to the cost of the works of repair and reconstruction, which reduction they will suffer during the term of the said leases;

That furthermore they were obliged to borrow personally to pay the succession duties and the taxes on the said properties, and have incurred considerable personal indebtedness for that purpose;

That the said Francis Rosconi has agreed to a reduction of twenty-three thousand dollars on the rental for repair and reconstruction work on the immovable to him bequeathed in usufruct, and has disbursed and borrowed, personally, a sum of five thousand four hundred and eighty-eight dollars and twenty-seven cents for succession duties and property taxes, making a total of twenty-eight thousand four hundred and eighty-eight dollars and twenty-seven cents;

That the said Napoléon Rosconi has agreed to a reduction of twelve thousand and eighty-four dollars on the rental for repair and reconstruction work on the immovable to him bequeathed in usufruct, and has disbursed and borrowed, personally, a sum of five thousand nine hundred and thirty-three dollars and forty-six cents for succession duties and property taxes, making a total of eighteen thousand and seventeen dollars and forty-six cents;

That the taxes on the said properties for the year 1923 have become due, and they have no money to pay them;

That it is in the interest of the petitioners and of all the parties interested in the said estate, and in the interest of justice that they be authorized to borrow respectively, Napoléon Rosconi up to the amount of nine thousand dollars, and Francis Rosconi up to the amount of eleven thousand dollars, by giving as hypothecary security the above-mentioned properties to them bequeathed in usufruct;

That the municipal valuation of the immovable property of Francis Rosconi is fifty-nine thousand eight hundred dollars, and that of the property of Napoléon Rosconi is fifty-two thousand eight hundred dollars, but the real value of such properties is considerably higher;

That the said properties are not at present burdened with any hypothec;

That all the parties interested in the said estate are willing that the said loans be made;

Whereas it is expedient to grant the prayer contained in 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. Francis Rosconi, gentleman, of the city of Montreal, heir of the late Francis Rosconi, Senior, is authorized to borrow up to the amount of eleven thousand dollars by giving as hypothecary security the immoveable property to him bequeathed by the late Francis Rosconi, Senior, under the will of the latter of date the 1st of March, 1913, and described as follows:

“A lot of land situated in Montreal, on St. Catherine Street at the corner of Wolfe Street, measuring thirty-nine and one-half feet in width by seventy-seven feet in depth, the whole English measure and more or less, with a house and other dependencies thereon erected, bearing the numbers 574, 576 and 580 of St. Catherine Street East and numbers 300 and 306 of the said Wolfe Street; the said property consisting of the lot of land known and designated under the number six hundred and one (601) on the official plan and book of reference of St. James Ward in the city of Montreal”.

Description of property as security for loan.

2. Napoléon Rosconi, commercial traveler, of the city of Montreal, heir of the late Francis Rosconi, Senior, is authorized to borrow up to the amount of nine thousand dollars by giving as hypothecary security the immoveable property to him bequeathed by the late Francis Rosconi, Senior, under the will of the latter of date the 1st of March, 1913, and described as follows:

“A lot of land situated in Montreal, on St. Catherine Street East, adjoining the Quebec Bank, measuring forty-three and one-third feet in width by seventy-eight feet in depth, the whole English measure and more or less, with a house and other dependencies thereon erected, bearing the numbers 562, 564 and 566 of the said St. Catherine Street East; the said property consisting of part of the lot of land known and designated under the number five hundred and seventy-nine (Pt. 579) on the official plan and book of reference of St. James Ward in the city of Montreal, the said part of the lot being bounded: in front by the said St. Catherine Street East; in rear by lot number five hundred and eighty (580) on the said plan; on one side by the part of the said lot five hundred and seventy-nine (579) on the said plan belonging to the Quebec Bank; and

Description of property as security for loan.

on the other side by the lot of land number six hundred (600) on the said plan”.

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

C H A P. 152

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec to admit Georges Berberi to the practice of medicine and surgery, after examination

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

Preamble. **W**HEREAS Georges Berberi, of the city and district of Quebec, has, by his petition, represented:

That in September, 1919, he was admitted as a student of medicine and surgery at Laval University, in Quebec, and that he followed the medical course in the said university during the prescribed number of years;

That he did not obtain from the College of Physicians and Surgeons of the Province of Quebec the authorization to begin the study of medicine until September, 1923, inasmuch as for serious reasons he was unable to obtain the same before entering the said university;

That in view of the foregoing, the College of Physicians and Surgeons of the Province of Quebec has given its consent for the introduction of a bill to authorize the petitioner to practise medicine after having successfully passed the examinations of the third, fourth and fifth years before the medical board;

Whereas the petitioner has prayed for the passing of an act to the effect above mentioned; and

Whereas it is expedient to grant his said prayer;

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

G. Berberi admitted to practice, after examination. **1.** The College of Physicians and Surgeons of the Province of Quebec is authorized to admit the said Georges Berberi among its members and to grant him the license required for the practice of medicine in the Province of Quebec, after he shall have successfully passed the examinations for the third, fourth and fifth years before the medical board.

Coming into force. **2.** This act shall come into force on the day of its sanction.
