

and the curator in accordance with paragraphs 3 and 4 of the said article 953a or deposited with the prothonotary in accordance with paragraph 5 of the same article.

Coming
into force.

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

CHAP. 174

An Act respecting the estate of the late William Joseph Leduc

[Assented to, 19th of March, 1921]

Preamble.

WHEREAS Philippe Germain, Joseph Jean Cloutier, both notaries in the town of St. Tite, in the county of Champlain, and Hormisdas Delorme, gentleman, of the city of Montreal, all three in their capacity of testamentary executors of the estate of the late William Joseph Leduc, in his lifetime merchant, of the city of Montreal, have, by their petition, represented:

That the late William Joseph Leduc, in his lifetime merchant, of the city of Montreal, died in Montreal, on the 23rd of February, 1920, after having made an authentic will, dated the 26th of February, 1910, before Joseph Hildège Desroches, notary public for the Province of Quebec, and witnesses, after having made two holograph codicils to the said will, dated the 8th of November, 1915, which holograph codicils were duly probated by the Superior Court for the district of Montreal, on the 18th of March, 1920;

That under the said will, the said testator appointed as his testamentary executors his father, Georges Leduc, who died before the testator, Reverend Jean Baptiste Grenier, parish priest of the parish of St. Tite, who refused to act as such, and Pierre Edward Blondin, notary, whose appointment was revoked by one of the above codicils by which the testator expressed the wish that the said Pierre Edward Blondin be replaced by a notary residing and practising at St. Tite;

That the said Philippe Germain, Joseph Jean Cloutier and Hormisdas Delorme were appointed testamentary executors of the said William Joseph Leduc to replace those above designated, by a judgment of the Superior Court for the Province of Quebec, sitting in and for the district of Montreal, dated the 18th of August, 1920;

That the said will and codicils do not provide for the replacing of the testamentary executors; and that it is

expedient to provide therefor, to fix their number and to determine and extend their powers;

That the said estate comprises a great many lots and properties held in undivided ownership, with respect to which, under a clause of the said codicils, it is stipulated as follows:

“I am interested (with others) in various properties, (at Rivière des Prairies, Saskatoon, Rapide des Cèdres, etc.) I do not want my testamentary executors to have the shares which I own in these properties sold, but they shall do what the majority of the shareholders of the said property want to do and abide the necessary time to derive as much as possible from them.”;

That it is expedient to authorize the said testamentary executors to delegate their powers among themselves as they see fit, to sell or otherwise alienate the said lots and properties in accordance with the said clause of the said codicils;

That it is advisable to authorize the said executors to borrow and hypothecate for the purpose of paying the debts of the estate due at the time of the death of the testator; 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. There shall be three testamentary executors of the estate of the said William Joseph Leduc; they shall retain their powers as such as long as it shall be necessary for the execution of the said will, even beyond the year and day from the death of the said testator. The said Philippe Germain, Joseph Jean Cloutier and Hormisdas Delorme are confirmed in their office, and in event of a vacancy in the said office, any new appointment or replacement shall be made by the court or a judge, under the provisions of article 924 of the Civil Code.

To be three executors.
Appoint-
ments
ratified.
New ap-
pointments.

2. In order to pay the debts of the estate, the testamentary executors may borrow up to the sum of five thousand dollars, and, for that purpose, hypothecate the following immoveable property of the estate, to wit: a property situated in the city of Grand'Mère, known as part of lot No. 94 of the official plan and book of reference of the parish of Ste. Flore, bounded in front by Ste. Catherine St., in the rear by the property belonging to William Ned, on one side by the property of A. Lemay or his assigns, and, on the other side, by the property of

Loan
authorized.
Hypothecation of
property.

Mlle O. De Grandmont, the said part of a lot measuring 45 feet in frontage by 121 feet in depth, more or less, English measure, with the building thereon constructed.

Executors
may dele-
gate powers
among
themselves.

3. For the purpose of complying with the clauses of the codicils under which for the sale of certain lots held in undivided ownership the advice of the majority of the co-proprietors was required, the testamentary executors may by general power of attorney delegate to one another their powers; and in such case any sale or alienation executed by any one of them under such power of attorney shall be of the same force and effect as if it had been signed by each of the testamentary executors; but nothing in this section shall be interpreted as relieving the executors from their responsibility thus delegated or resulting from the provisions of article 913 of the Civil Code.

Costs of
this act.

4. The costs and disbursements incurred in connection with the passing of this act shall be paid by the estate

Coming
into force.

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

CHAP. 175

An Act respecting the estate of the late Michael Joseph Stack

[Assented to, 19th of March, 1921]

Preamble.

WHEREAS John Joseph Robson and Thomas Yates Foster, accountants, of the city of Westmount, have, by their petition, represented:

That the said Michael Joseph Stack died in Westmount aforesaid on the 1st day of March, 1920, and that at the time of his death he was carrying on business in the city of Montreal as contractor and builder;

That by his will, passed before James Lonergan, N.P., on the 5th day of July, 1910, he named as his legatees and heirs-at-law his three minor children, to whom, after his death, a tutor was appointed, who, by authentic deed executed on the 26th of April, 1920, before John Mulcair, N.P., at Montreal, renounced on their behalf to the insolvent estate of their late father, he being duly authorized to that end on the advice of a family council composed of the relatives and friends of the said minors; and said deed of renunciation was duly registered in the registration division of the counties of Hochelaga and Jacques Cartier under No. 389192;