

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;

That several actions and seizures were pending against the said Michael Joseph Stack at the time of his death, or were instituted against his estate immediately thereafter, and a demand of abandonment was made against such estate under the provisions of the Code of Civil Procedure, in the Superior Court for the district of Montreal, and pursuant to such demand the petitioners were appointed curators of the said insolvent estate and to the property thereof by judgment of the Honourable Mr. Justice Duclos, dated the 14th of May, 1920, and by the same judgment inspectors were also named, chosen from amongst the largest creditors;

That the petitioners took charge of the assets of the said estate, and, with the advice and authorization of such inspectors and of the court, proceeded to wind it up, and dispose of its assets for the purpose of distributing and paying the same *à qui de droit*;

That among such assets were included the following properties:

- a. lot No. 1366 on the official plan of St. Ann's ward, city of Montreal;
- b. lot No. 4 of the official subdivision of original lot No. 206 (206-4) on the official plan of St. Lawrence ward, city of Montreal;
- c. an emplacement composed of portions of lots Nos. 189 and 190 on the subdivision plan of lot No. 219 (pt. 219-189, 190) on the official plan of the parish of Montreal;
- d. lot No. 41 of the official subdivision of original lot No. 181 (181-41) on the official plan of the town of Lachine, together with certain rights held by the deceased under lease of the beach and deep water lot situate in front of said premises;
- e. part of lot No. 47 of the official subdivision of original lot No. 181 (pt. 181-47) on the official plan of the town of Lachine;
- f. subdivision No. 39 and part of subdivision lot No. 21 of the original lot No. 875 (875-39 and pt. 875-21) on the official plan of the parish of Lachine;

That by judgment of the Honourable Mr. Justice Panneton, one of the judges of the Superior Court for the district of Montreal, dated the 19th of August, 1920, the petitioners, acting under instructions from the said inspectors, were authorized to have the immoveables above described under letters (a) (b) (c) (d) and (e) sold by public auction to the last and highest bidder after advertisement in one English and one French newspaper, published in the city of Montreal; and by judgment of the Honourable Mr. Justice Coderre, one of the judges of the

said Superior Court, dated the 15th of November, 1920, they were further authorized to retrocede the property above described under letter (f) to the person from whom the deceased had acquired the same, in execution of a resolatory clause contained in the deed of acquisition;

That the said auction sale was had at the time and place advertised, and the properties adjudged to the last and highest bidders, who have executed their respective deeds of sale and paid over to the petitioners the amount due by them thereon, and the deed of retrocession of the property above described under (f) has also been executed;

That doubts have arisen as to the legality of the appointment of the petitioners as curators of the estate of the late Michael Joseph Stack under the provisions of the Code of Civil Procedure dealing with demands of abandonment on insolvent traders and the winding-up of their estates, and the alienation of their assets; and the petitioners desire to have an act passed for the purpose of clearing up such doubts, and confirming and ratifying their appointment, and all acts done by them in their said quality, and especially the sale and transfer of the said properties, and they have been requested by the purchasers to apply for the passing of the present act;

Whereas it is expedient to quiet the said doubts and to ratify and confirm the said deeds of sale, conveyance and transfer, as well as the appointment of the petitioners as curators to the said insolvent estate; and

Whereas the petitioners have prayed for the passing of an act to that effect, and it is expedient to grant their said prayer;

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

Deeds
ratified.

1. The following deeds of sale, conveyance and transfer so executed by petitioners, are hereby ratified, confirmed and declared legal and valid, to wit:

- a. deed of sale to William Thomas, Limited, passed at Montreal, before John Mulcair, notary public, on the 31st of January, 1921, and bearing No. 1717 of the minutes of the said notary;
- b. deed of sale to Charles A. Sharpe, passed at the city of Montreal, before the said notary, on the 14th of January, 1921, and bearing No. 1696 of the minutes of the said notary;
- c. deed of sale to Josephine Gone, wife of Joseph E. Cormier, passed at Montreal, before said notary, on the 15th of December, 1920, and bearing No. 1638 of the minutes of the said notary;

- d. deed of sale passed at Montreal, before the same notary, on the 2nd of February, 1921, to Charles A. Sharpe, bearing No. 1722 of the minutes of the said notary;
- e. deed of sale to Daniel Joseph Lyons, passed at Montreal, before the same notary, on the 1st of February, 1921, and bearing No. 1719 of the minutes of said notary;
- f. deed of retrocession to Joseph C. Decary, passed at Montreal, on the 15th day of December, 1920, before L. Joron, N.P., and bearing No. 5397 of the minutes of the said notary.

2. The appointment of John Joseph Robson and Thomas Yates Foster as curators to the insolvent estate of the late Michael Joseph Stack, as well as all acts and proceedings done by them in such quality, are confirmed and ratified to the same effect as if such appointment and proceedings had been according to the formalities required by law. Appointment of curators ratified.

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

CHAP. 176

An Act to confirm the titles to the immoveables known as lots Nos 10 and 55 of the cadastre of the parish of La Pointe-aux-Trembles, situated in the town of Montreal East, county of Laval

[Assented to, 19th of March, 1921]

WHEREAS William Thomas Wilkinson, inspector, of the town of Montreal West, has, by his petition, represented;

That the late John McDonnell, in his lifetime farmer, of the parish of La Pointe-aux-Trembles, by his will made at La Pointe-aux-Trembles, before C. C. Spénard and L. J. O. Lecours, notaries public, on the 5th of April, 1861, decreed the following, among other things:

“Secondly: The said testator doth give and bequeath unto John McDonnell, his son, of the said Côte St. Léonard, farmer, the use and enjoyment during his natural life, of the two farms and parcel of land thereto adjoining, with all the buildings thereon erected; and which said enjoyment shall not be subject to seizure under pain of nullity