

- 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.

## C H A P. 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]

**W**HEREAS 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

of said seizure, nor shall he, the said John McDonnell, his son, for any cause whatsoever, have the right to transfer, or in any way make over the said enjoyment under pain of nullity; and after the death of the said John McDonnell, his said son, the said testator doth hereby give and bequeath the use, the enjoyment of the said two farms and parcel of land with all the buildings thereon erected to John R. McDonnell, his grand-son, and son of his said son John McDonnell, during his natural life; and which said enjoyment shall not be subject to seizure under pain of nullity of said seizure, nor shall he, the said John R. McDonnell, the said testator's grand-son, for any cause whatsoever, have the right to transfer, or in any way make over the said enjoyment under pain of nullity; and after the death of the said John R. McDonnell, his grand-son, the said testator doth hereby give, bequeath and devise the property of the said two farms and parcel of land with the buildings thereon erected to the legitimate children of his said grand-son, John R. McDonnell, to be by them and each of them held, enjoyed, used and disposed of as he or they shall think fit, to and for his and their use and benefit, hereby constituting the said legitimate children his universal legatees to that effect, for such is his will";

That amongst the immoveables mentioned in the said will, are the lots now known as lots Nos. 10 and 55 of the cadastre of the parish of La Pointe-aux-Trembles, and now in the town of Montreal East;

That the said John McDonnell, the aforesaid testator, died at La Pointe-aux-Trembles in the year 1873, without having changed his will;

That John McDonnell, the son of the said testator, also died at La Pointe-aux-Tremble, on or about the 1st of March, 1897;

That John R. McDonnell, the grand-son of the testator, is a widower, sixty-seven years old and has, as his children, John A. McDonnell, Walter B. McDonnell and Herbert D. A. McDonnell, all of full age;

That William Thomas Wilkinson, the petitioner, acquired, jointly with Antoine David, farmer, of the town of Montreal East,—

a. by a deed of sale passed at Montreal, before R. B. Hutcheson, notary, on the 23rd of July, 1912, from the said John R. McDonnell, the testator's grand-son, his usufruct, and all his rights, titles and interest in the said immoveables, and from the said John A. McDonnell and Walter McDonnell, all their rights, titles and interest, say one undivided third each, in the said immoveables;

b. by a deed of sale passed at Montreal, before R. B.

Hutcheson, notary, on the 13th of September, 1912, from the said Herbert D. A. McDonnell, all his rights, titles and interest, say one undivided third of the same immoveables;

That William Thomas Wilkinson, the petitioner, acquired the share of the said Antoine David in the said lot No. 55 and transferred to the latter his share in the said lot No. 10;

That the said lot No. 55 is now subdivided, and several hundred lots have been sold to private individuals;

That differences of opinion regarding the interpretation to be given the above quotation from the said will, have caused doubts to arise regarding the right of the said John R. McDonnell, John A. McDonnell, Walter B. McDonnell and Herbert D. A. McDonnell to dispose of the said immoveables, and, consequently, the petitioner and the various other owners of lots of the subdivision of the original No. 55, have on several occasions, been unable to dispose of or even hypothecate their lots;

That it is in the interest, not only of the petitioner, but of several owners, that such doubts be removed;

And whereas the petitioner has prayed that an act to that effect be passed, and 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.** The alienation by John R. McDonnell, John A. McDonnell, Walter B. McDonnell and Herbert D. A. McDonnell to William Thomas Wilkinson, and Antoine David of lots Nos. 10 and 55, of the official plan and book of reference of the parish of La Pointe-aux-Trembles, is hereby validated, ratified, and confirmed, and the following deeds of sale are hereby ratified, confirmed and declared legal and valid for all intents and purposes, to wit:

a. the deed of sale by John R. McDonnell, John A. McDonnell and Walter B. McDonnell, to William Thomas Wilkinson and Antoine David, passed before R. B. Hutcheson, notary, at Montreal, on the 23rd of July, 1912;

b. the deed of sale by Herbert D. A. McDonnell to the said William Thomas Wilkinson and Antoine David, passed before R. B. Hutcheson, notary, at Montreal, on the 13th of September, 1912.

Alienation  
and deeds of  
sale ratified.

Costs of this act. **2.** The costs incurred in connection with this act shall be at the charge of the said William Thomas Wilkinson.

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

## CHAP. 177

An Act to ratify a certain deed between the Bank of Montreal and the city of Montreal, and by-law No. 722 of the city of Montreal

*[Assented to, 25th of February, 1921]*

Preamble.

**W**HEREAS the bank of Montreal, a body politic and corporate, duly incorporated and having its head office in the city and district of Montreal, has by its petition represented:

That on the 7th of June, 1920, the city of Montreal, by its by-law No. 722, adopted by the city council on said date, granted leave and permission to the said Bank of Montreal to construct, reconstruct and maintain an addition to the bridges already erected over Fortification Lane, in the city of Montreal, for the purpose of improving the communication between the buildings of the bank erected on each side of the said lane, the whole in conformity with the plans to be attached to a notarial deed to be passed between the said city and the said Bank of Montreal embodying the terms and conditions in the said by-law contained;

That on the 12th day of August, 1920, a deed was passed before J. Baudouin, Notary Public, duly registered in the Registry Office of Montreal West under the number 155,667 on the first day of September, 1920, embodying the terms and conditions of the said by-law and having annexed to it a copy of said plans;

That by the said deed the said Bank of Montreal undertook to apply to the Legislature of the Province of Quebec to have the said by-law No. 722, as well as the said deed, ratified and confirmed; and

Whereas the said bank has prayed for the ratification and confirmation of the said deed and of the said by-law No. 722 of the said city of Montreal, and 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: