

C H A P . 162

An Act to validate the sale by the estate of Sir Georges Etienne Cartier to Messrs Browne and Perley, dated the 5th May, 1874

[Assented to 25th April, 1908]

Preamble.

WHEREAS George Hogg, farmer: William Laidlaw Hogg, grain dealer, residing in the town of Longue Pointe and William Henry Trenholme, formerly a farmer, now residing in the town of Westmount, district of Montreal, in their capacity of testamentary executors and fiduciary legatees of the late William Kerr, in his lifetime farmer of the said town of Longue Pointe, have by their petition represented :

That by his will made before the late Mr. Theo. Doucet and his colleague, notaries, at Montreal, on the sixth November, 1866, the late Honourable Sir Georges Etienne Cartier, in his lifetime of the city of Montreal, Minister of Militia and Defence of the Dominion of Canada, after giving certain special legacies, bequeathed in trust to his fiduciary legatees and testamentary executors named in his said will the remainder and residue of his moveable and immoveable property and created a substitution to which he was appointed curator as required by-law ;

That among the properties forming part of the legacy in trust bequeathed by the said late Sir Georges Etienne Cartier, under the terms of his said will, was a lot of land called *La Ferme Limoilou*, known and designated under the number thirty-four (No. 34) on the official plan and book of reference of the parish of Longue Pointe ;

That the late Sir Georges Etienne Cartier, at his death, left a comparatively large amount of debts, amongst which was the sum of four thousand dollars due by him with a hypothec on the said lot as the balance due the first mortgagee or *baillieur de fonds*, one Robert Turcotte ;

That the said late Sir Georges Etienne Cartier has not left sufficient money and available assets in his estate to provide for the payment of all his debts, and that his fiduciary legatees and testamentary executors provided therefor by selling certain property of the estate, consisting of household furniture and moveable effects, of bank shares and further by selling the said lot of land as hereinafter mentioned ;

That, by judicial authorization, the said testamentary executors and fiduciary legatees and the curator to the substitution created by the said will, sold the said lot of land to Messrs Browne and Perley by deed of sale before J. L. Coullée, notary, dated the 5th May, 1874, for the sum of twenty thousand dol-

lars, a portion whereof was paid in cash and the balance was payable at stated terms ;

That the price of sale of the said lot of land has been fully paid, and, with the proceeds of the sale of other properties and securities of the said estate, was employed in paying the debts left by the said testator ;

That the said lot of land is now held partly by the estate of the said William Kerr and partly by William Hall ;

That in view of the terms of the will of the said late Sir Georges Etienne Cartier, certain doubts have been raised by purchasers of a portion of the said lot as to the powers of the fiduciary legatees and testamentary executors of the said late Sir Georges Etienne Cartier to sell the said lot, although such sale was judicially authorized as mentioned in the said deed of sale and was made for the purpose of paying the testator's debts ;

And whereas the petitioners have prayed that an act be passed to ratify the deed of sale by the estate of the said late Sir Georges Etienne Cartier to Messrs Browne and Perley and that it is expedient to grant their prayer ;

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

1. It is by the present act declared that the testamentary executors and fiduciary legatees of the late Sir Georges Etienne Cartier acted within their powers in selling the said lot of land, after having been authorized by the court, and gave a valid title to the purchasers of the said lot, and the said sale is declared good and valid and the said deed of sale is ratified. Certain deed of sale ratified, &c.

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

CHAP. 163

An Act to ratify and confirm the sale by Miss Jessie Atkinson and others to P. G. Bussières & Co., dated on the twenty-fourth of January, 1907

[Assented to 25th April, 1908]

WHEREAS, Amable Napoléon Drolet and Jean François Siméon Dugal, both of the city of Quebec, flour, grain and provision merchants, and carrying on business as such in partnership, under the name and firm of P. G. Bussières & Company, have, by their petition, represented : Preamble.