

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 rati-
fied, &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. Bussièrès & 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. Bussièrès & Company, have, by their petition, represented :

Preamble.

That Henry Atkinson, in his lifetime of the city of Quebec, merchant, died at Paris, in France, on the fifteenth of May, eighteen hundred and sixty-five, leaving amongst other property of his estate, the immoveable described in the deed of sale hereinafter reproduced ;

That by his authentic will, made at Quebec, on the eleventh of October, eighteen hundred and fifty-four, before Campbell and colleague, notaries public, he appointed, as his universal legatees, his three sisters, Harriet Atkinson, Caroline Atkinson, and Ann Atkinson, and the children of another sister then deceased, Maria Faulkner ;

That by an authentic codicil before Campbell and colleague notaries, at Quebec, on the tenth of August, eighteen hundred and fifty-eight, he excluded from the said legacy his said sister Ann Atkinson ,

That he had appointed his testamentary executor, his brother William Atkinson, and after the death of the latter, which occurred on the seventh of April, eighteen hundred and sixty-six, a family arrangement was made between the legatees of the said Henry Atkinson, in virtue whereof the entire immoveable property described in the said deed hereinafter recited was given to the said Dames Caroline Atkinson and Harriet Atkinson, other property being given to the said children of Maria Faulkner ;

That the said Dames Caroline Atkinson and Harriet Atkinson and their assigns have been in peaceful possession thereof to the exclusion of all others and constantly since then as owners ;

That the said Dame Harriet Atkinson, died on the third of August, eighteen hundred and seventy-one, and by her will made under the laws of England, at Eastbourne, in the county of Sussex, in England, on the eighteenth of February, eighteen hundred and seventy, and duly probated by the prothonotary, at Quebec, on the twenty-seventh of March, eighteen hundred and seventy-two, she bequeathed her property in usufruct to her said sister Dame Caroline Atkinson, with power to alienate, and the ownership thereof for one eighth to Henry Atkinson, of the parish of St. Romuald d'Etchemin, lumber merchant; for another eighth to Donald Cameron Thomson, of the city of Quebec; for one quarter to Ann Thomson, wife of the said D. C. Thomson; for one quarter to Jessie Atkinson, and for one quarter to Harriet Lemoine, wife of J. Lemoine, of the city of Quebec ;

That the said Dame Caroline Atkinson, on the fifth of June, eighteen hundred and seventy-five, sold to the city of Quebec, a strip of the said immoveable bordering on Dalhousie street, for the widening of the said street.

That the said Dame Caroline Atkinson, died on the thirty-

first of January, eighteen hundred and seventy-eight, and by her will, made according to the laws of England, at Eastbourne, in the county of Sussex, in England on the twenty-seventh of May, eighteen hundred and seventy-three, and duly probated by the prothonotary at Quebec, on the twenty-ninth of November, eighteen hundred and seventy-eight, she bequeathed all her property to Henry Atkinson, of the parish of Saint Romuald d'Etchemin, lumber merchant; to Ann Thomson, wife of the said D. C. Thomson; to Harriet Lemoine, wife of the said J. Lemoine and to Jessie Atkinson, each for one-fourth;

That the said Dame Harriet Lemoine, wife of the said J. Lemoine, died at Quebec, on the eleventh of April, nineteen hundred, and by her authentic will, made before Strang and colleague, notaries, at Quebec, on the eleventh of April, eighteen hundred and ninety-nine, she bequeathed the usufruct of all her property to her said husband and the ownership to her two daughters, Jeannette Julia Lemoine, of the city of Quebec and Sophia Annie Lemoine, wife of Frank Bell Forsyth Rhodes. each for one-half;

That Sir James Lemoine, both personally and in his capacity of attorney to his said daughter Sophia Annie Lemoine, wife of the said F. B. F. Rhodes, under authentic power of attorney, before W. Bignell, notary, at Quebec, on the twenty-second of February, eighteen hundred and eighty-three, and the said Miss Jeannette Julia Lemoine, by deed of sale before W. R. Larue, notary, at Quebec, on the ninth of June, nineteen hundred, did sell to the said D. C. Thomson and to the said Miss Jessie Atkinson, all their rights in and to the said immoveable described in the deed of sale before Alexandre Gauvreau notary hereinafter mentioned;

That by deed of sale by the said Henry Atkinson, of the parish of Saint Romuald d'Etchemin, lumber merchant, before W. V. Larue, notary at Quebec, on the twenty-seventh of May eighteen hundred and ninety, he sold all his rights in and to the said immoveable to the said Miss Jessie Atkinson;

That by deed of sale before Alexandre Gauvreau, notary, at Quebec, on the twenty-fourth of January, nineteen hundred and seven, the said Miss Jessie Atkinson and the said Donald Cameron Thomson, both for himself and in his capacity of sole surviving testamentary executor of the last will of his wife, the said Dame Annie Atkinson, with full power to sell under her holograph will, dated at Quebec, the thirteenth of May, eighteen hundred and ninety-three and also of her holograph codicil number two, dated at Quebec, the seventeenth of November, nineteen hundred, both duly probated according to law by J. B langer, deputy prothonotary of the Superior Court in the Province and district of Quebec, on

the twenty-first of December, nineteen hundred, signed the deed of sale to the petitioners mentioned in the said deed of sale.

That the powers under which the said James Lemoine as attorney of his daughter, the said Dame Sophia Annie Lemoine, wife of the said F. B. F. Rhodes, effected the sale above mentioned to the said Miss Jessie Atkinson and to the said D. C. Thomson, were confirmed by a special deed of Sophia Annie Lemoine Rhodes, duly authorized by her said husband, at Pueblo, in the state of Colorado, on the nineteenth of February, nineteen hundred and seven, authorized as aforesaid, appointing Sir James Lemoine her special attorney for the purpose of ratifying and confirming, in so far as she was concerned, the said deed of sale, and that such ratification and confirmation were effected before Alexandre Gauvreau, notary, at Quebec, on the eighth of March, nineteen hundred and seven by the said Sir James Lemoine acting as aforesaid ;

That the said deeds constitute a very complicated chain of titles, and the petitioners are greatly interested in having a clear title to the immoveable described in the said deed of sale and one that can absolutely be verified in order to effect, in connection with the said immoveable, all transactions loans, total or partial sales, without having to refer to so long and so complicated a chain of titles ;

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

**Certain sale
of 24th Jan-
uary, 1907,
ratified, &c.**

1. The sale by Miss Jessie Atkinson, spinster of the city of Quebec and Lieutenant-Colonel Donald Cameron Thomson, also of the said city of Quebec, bank director, acting both personally and in his capacity of sole surviving executor of the last will of Dame Annie Atkinson, his wife, made before Alexandre Gauvreau, notary, at Quebec, on the twenty-fourth of January, nineteen hundred and seven to Amable Napoléon Drolet and Jean François Siméon Dugal, both of the city of Quebec, flour, grain and provision merchants, carrying on business together in partnership under the name and firm of P. G. Bussière and Company, is ratified and declared valid to all intents and purposes.

**Coming into
force.**

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