

Certain acts  
declared valid.

3. All or any of such acts made or performed in virtue of either of the foregoing sections shall be legal and valid, to all intents and purposes, as if the said parties had procured the necessary authorization, in due course of law, for each and every transaction.

Purchaser not  
bound to see to  
application of  
proceeds.

4. The purchaser, transferee, pledgee, or other person acquiring any of the said rights or properties of the said estate, shall not be bound to see to the proper application of the proceeds of any transaction so had by them with the aforesaid tutor, curator and institute, or any of them.

Coming into  
force.

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

## C A P. L X X X I X.

An Act authorizing Dame Jane Cox, wife of John Nelson Hickey, and Dame Barbara Cox, wife of Alexander Linton Lockerby, to sell the south-western portion of lot No. 123 of the Cadastre of Saint Louis Ward, in the city of Montreal, to Jean-Baptiste St. Louis and to Dame Emma E. Lamontagne wife of Emanuel Saint Louis, upon certain conditions.

[Assented to 21st June, 1886.]

Preamble.

WHEREAS Simon McTavish Charles did, by his last will and testament, bearing date the 4th June, 1860, bequeath all his property to his brothers and sisters in usufruct only and, upon their decease, to his three nieces, Sarah Ann Cox, Jane Cox and Barbara Cox, also in usufruct, and the ownership thereof to the children of the latter; whereas, by his codicil, dated the 3rd April, 1866, he did appoint Walter Charles, his brother, his testamentary executor, giving him the exclusive right, if he thought proper, to sell by private sale his immoveable property or any portion thereof and to invest the proceeds thereof, either by purchasing bank stocks or by purchasing real estate or in good securities, the whole for the benefit of the legatees;

Whereas Norton B. Corse, Esquire, in his quality of curator, appointed by authority of justice, on the second November, eighteen hundred and sixty-seven to the substitution created by the will of the said Simon McTavish Charles, and others, did with the authorization of the court sell to Dame Barbara McKenzie Charles, widow of Frederick Valentine, a lot of land situate in Saint Louis Ward of the city of Montreal, for the price and sum of six thousand five hundred dollars as being the highest bidder; that the

purchaser might have paid to the vendors, in their said quality before the opening of the said substitution, by giving six month's notice to the said vendor, the curator to the said substitution, in order to invest the price of the sale in immoveable properties or in bank shares or otherwise for the greater advantage of the usufructuary legatees, and according to the terms of the will and codicil of the said Simon McTavish Charles ;

Whereas the said Dame Valentine died, intestate, on the eighth July, eighteen hundred and eighty ;

Whereas Dame Jane Cox, wife of John Nelson Hickey and Dame Barbara Cox, wife of Alexander Linton Lockerby are the only heirs ;

Whereas the said Dames Hickey and Lockerby passed a deed of promise of sale, on the tenth January, eighteen hundred and eighty-six, before J. A. O. Labadie, N.P., in favor of Jean Baptiste Saint Louis and Dame Emma E. Lamontagne, wife of Emmanuel Saint Louis, of the south-west part of lot No. 123 of the cadastre for Saint Louis Ward in the city of Montreal, that is to say : the lot of land sold by Norton B. Corse, in his said quality and others to the said Dame George Frederick Valentine, on the condition, in so far as the substitution created by the will of the said Simon McTavish Charles can effect such lot of land, that the sale should be complete, in order to protect the purchasers from any trouble, only when the latter should have obtained at their own expense, an Act of the Legislature at its next session, freeing the aforesaid lot of land from the said substitution and allowing the passage of nine feet six inches in length where it opens on German Street and of sixteen feet in rear by seventy-four feet in depth, included in the sale of the aforesaid lot of land, to be exchanged for another passage of ten feet, English measure, to be taken from No 10 of the private plan of the said property, and allowing the vendors to receive the price of sale and to give a good and valid discharge thereof to the purchasers ; and whereas doubts may arise as to the legality of the sale made by the said Norton B. Corse in his said quality to the said Dame Widow George Frederick Valentine ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. It shall be lawful for the said Dame Jane Cox, wife of John Nelson Hickey, and Barbara Cox, wife of Alexander Linton Lockerby, to sell the south-west half of No. 123 of the cadastre for Saint Louis Ward of the city of Montreal, to the said Jean Baptiste Saint Louis and Emma E. Lamontagne, wife of Emmanuel Saint Louis, on the conditions set forth in the aforesaid deed of promise of sale and more

Sale of certain  
real estate au-  
thorized.

Conditions  
thereof.

Proviso as to  
investment of  
proceeds.

particularly on the condition that the said purchasers may change the lane in the manner mentioned in the said deed of promise of sale, and that the vendors give a good and valid discharge for the price of the sale to the purchasers, and free the said lot of land from the substitution created by the will of the said Simon McTavish Charles by such discharge ; provided always that the moneys arising from such sale be invested in the manner set forth in the will and codicil of the said Simon McTavish Charles.

Coming into  
force.

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

### C A P. X C.

An Act to define the *seizin*, powers and duties of the executors of the will of the late William Dow, esquire, and for other purposes connected therewith.

[Assented to 21st June, 1886.]

Preamble.

WHEREAS the late William Dow, of Montreal, esquire, died there on the seventh of December, one thousand eight hundred and sixty-eight, leaving a will, passed before J. S. Hunter, N. P., and colleague, dated the twenty-second of November, one thousand eight hundred and sixty-eight, whereby, after several legacies, he created a substitution as to the residue of his estate, and named certain executors, whose powers over his said estate he thereby continued until his said will should have received its entire execution, giving them full powers of sale of all real and moveable property, and other powers therein set forth ;

And whereas the executors so named and their successors, appointed as hereinafter recited, have ever since held and administered the said estate under the said will as a trust to pay the net revenue thereof to the institutes in the said substitution until the opening thereof and then to divide the said estate among those then entitled in the terms of the said will ;

And whereas doubts have been raised whether the said executors should so administer or should transfer the estate to the said institutes, to be by them administered until the opening of the substitution ;

And whereas the original executors, having all ceased to act by death and resignation, the present executors, Joseph Hickson and Hugh Paton, of Montreal, esquires, were appointed executors by the Superior Court, Montreal, on the twenty-first day of March, one thousand eight hundred and eighty-five, and have petitioned to have their *seizin*, powers and duties in the premises defined ;