

hereditaments remaining unreleased, or as to any other property not specifically released, without prejudice nevertheless to the rights of all persons interested in the lands, hereditaments, or property remaining unreleased, and not concurring in or confirming the release.

Assignment of personal property.

3. Any person shall have power to assign personal property now by law assignable, including chattels real, directly to himself and another person or persons or corporation, by the like means as he might assign the same to another.

Payments of purchase or mortgage money.

4. The bona fide payment to, and the receipt by, any person to whom any purchase or mortgage-money shall be payable, upon any express or implied trust, shall effectually discharge the person paying the same from seeing to the application, or being answerable for the misapplication thereof, unless the contrary shall be expressly declared by the instrument creating the trust or security.

Acts done under power of attorney.

5. No trustee, executor, or administrator, making any payment, or doing any act bona fide under or in pursuance of any power of attorney, shall be liable for the monies so paid, or the act so done, by reason that the person who gave the power of attorney was dead at the time of such payment or act, or had done some act to avoid the power. Provided, that the fact of the death, or of the doing of such act as last aforesaid at the time of such payment or act bona fide done as aforesaid by such trustee, executor, or administrator, was not known to him; provided always, that nothing herein contained shall in any manner affect or prejudice the right of any person entitled to the money against the person to whom such payment shall have been made, but that such person so entitled shall have the same remedy against such person to whom such payment shall be made as he would have had against the trustee, executor, or administrator, if the money had not been paid away under such power of attorney.

Distribution of assets by executor or administrator.

6. Where an executor or administrator shall have given such or the like notices, as in the opinion of the Court in which such executor or administrator is sought to be charged, would have been sufficient in the Court of Probate for creditors and others to send in to the executor or administrator their claims against the estate of the testator or intestate, such executor or administrator shall, at the expiration of the time named in the said notices, or the last of the said notices for sending in such claims, be at liberty to distribute the assets of the testator or intestate, or any part thereof, amongst the parties entitled thereto, having regard to the claims of which such executor or administrator has then notice, and shall not be liable for the assets, or any part thereof, so distributed to any person of whose claim such executor or administrator shall not have had notice at the time of distribution of the said assets or a part thereof, as the case may be; but nothing in the present act contained shall prejudice the right of any creditor or claim-