

the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The appointment of Wilbrod Decarie as testamentary executor, administrator and trustee of the estate of the late Joseph Aimé Massue by the codicil to the will of the late Jean Zephirin Resther made on the 23rd of March, 1909, before J. Philippe Lamarche, notary, is confirmed, ratified and declared good and valid for all legal purposes.

**2.** All the acts performed by the said Wilbrod Decarie as testamentary executor, administrator and trustee of the estate of the late Joseph Aimé Massue, since his acceptance of the said office, namely, since the 24th of November, 1910, are declared to have been performed by the said Wilbrod Decarie, with authority to do so.

**3.** The remuneration granted by the act 55-56 Victoria, chapter 55, to the testamentary executor, administrator and trustee of the estate of the late Joseph Aimé Massue, is declared to be that to which the said Wilbrod Décarie is entitled for the period during which he has acted and will act as testamentary executor, administrator and trustee of the said estate.

**4.** The appointment of Jean Zephirin Resther, junior, as testamentary executor, administrator and trustee of the estate of the late Joseph Aimé Massue by the codicil of the late Jean Zephirin Resther, is cancelled and declared never to have had any legal effect.

**5.** The petitioners' disbursements for the passing of this act shall be charged to the capital of the said estate.

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

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#### C H A P. 155

An Act respecting the estate of the Honourable J. Aldric  
Ouimet

[Assented to, 17th of March, 1919]

**W**HEREAS Paul de Roberval Ouimet, insurance agent, Preamble.  
Miss Eugénie Ouimet and Miss Marie Ouimet, *filles*  
*majeures et usant de leurs droits*, and Aldric Ouimet, stu-

dent, all four of the city and district of Montreal, have, by their petition, represented:

That their father, the late Honourable J. Aldric Ouimet, in his life-time member of His Majesty's Privy Council and former judge of the Court of King's Bench for the Province of Quebec, by his will executed before G. Albert Normandin, notary, and his colleague, on the 14th day of October, 1915, bequeathed to them:—to the said Paul de Roberval Ouimet two hundred shares in the capital stock of the Montreal City and District Savings Bank; to the said Misses Eugénie Ouimet and Marie Ouimet three hundred shares each in the capital stock of the said bank, and to the said Aldric Ouimet two hundred shares in the capital stock of the said bank, with the stipulation that the said shares shall be non-transferable and unseizable, being bequeathed as alimentary pension; that when the said will was made, as well as at the death of the testator, only fifty per cent had been paid up on the said shares; that since, to wit, on the 12th day of March, 1917, the directors of the said Montreal City and District Savings Bank resolved to raise the paid up capital of the bank to seventy-five per cent of the subscribed amount, by means of five calls for instalments of five per cent each, to be paid every three months, and have made five of these calls which are due and exigible; that the petitioners had to borrow from the said estate of the Honourable J. Aldric Ouimet the amount of the first two calls of five per cent each, and have remained and still remain debtors to the said bank for the amount of the last three calls; that the said bank claims from them the payment of the said unpaid calls and the petitioners are liable to be sued and to have their shares in the said bank seized and sold; that, on its part, the said estate asks to be repaid its advances; that the petitioners have thought of selling some of their said shares in order to pay their said creditors but have had to renounce doing so, owing to doubts raised as to their right to sell the said shares and the refusal of the said bank to consent to transfer the shares, which are the object of the said sale; that moreover if the directors of the said bank decided to call up the twenty-five per cent still remaining to be paid on its capital stock, the petitioners will still encounter the same difficulties; that it would be respecting the intentions of the testator to empower the petitioners to sell shares to the amount of the calls already made and of those to be made in order to completely pay up the said shares and thus safeguard the legacy bequeathed to them; that moreover the diminution in the number of shares which will remain to the petitioners, will be com-

pensated by the fact that these shares will be paid up to the same amount and that, as regards the yield or income therefrom, the bank, since the said calls, pays a dividend corresponding to the increase of the paid up capital; that in so far as is necessary, the said bank and the universal co-legatees of the petitioners agree to the present petition;

Whereas it is expedient to grant the prayer of the said petitioners;

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

**1.** The said Paul de Roberval Ouimet, Miss Eugénie Ouimet, Miss Marie Ouimet and Aldric Ouimet are individually and respectively empowered to sell and transfer out of the shares in the capital stock of the Montreal City and District Savings Bank specially bequeathed to them by their father, the late Honourable J. Aldric Ouimet, under the latter's will executed before G. Albert Normandin and his colleague, on the 14th day of October, 1915, the number required to cover the calls made or to be made by the directors of the said bank since the 12th day of March, 1917, the interest due thereon and the other accompanying expenses hereinafter mentioned.

Authoriza-  
tion to sell  
certain  
shares for  
certain  
purpose.

**2.** The proceeds of the said sales respectively shall be paid to the said Montreal City and District Savings Bank, and the latter is empowered to deduct from such proceeds and to keep the amount of the three calls of five per cent each still unpaid by the said Paul de Roberval Ouimet, Miss Eugénie Ouimet, Miss Marie Ouimet and Aldric Ouimet, and interest at the rate of six per cent per annum dating from the maturity of each of these calls and to re-pay to the estate of the Honourable J. Aldric Ouimet the sums advanced by the latter to each of the said Paul de Roberval Ouimet, Miss Eugénie Ouimet, Miss Marie Ouimet and Aldric Ouimet to meet the first two calls of five per cent, the full amount of which was advanced by the said estate, with interest at the rate of six per cent per annum from the dates of the said advances.

Disposition  
of proceeds.

**3.** If the directors of the said bank call up the whole or part of the still uncalled for balance on the capital stock, the said Paul de Roberval Ouimet, Miss Eugénie Ouimet, Miss Marie Ouimet and Aldric Ouimet are individually and respectively empowered to sell and transfer some of their shares in the said bank to the amount of the calls

Additional  
sale au-  
thorized in  
certain case.

to be so made, and the proceeds of the said sales shall be paid to the said bank, which is empowered to deduct from the said proceeds the amount of the said calls to be thus made.

Sales to be valid and legal.

**4.** The said sales so made shall be valid and legal, and neither the said bank nor the purchasers of the said shares so sold shall incur any responsibility in consequence of the said sales. The purchasers especially shall not be obliged to see to the employment of the proceeds, provided the purchase price shall have been paid in accordance with sections 2 and 3 of this act.

Obligation of purchasers.

Costs of this act.

**5.** The costs and fees incurred in connection with the passing of the present act shall be borne equally by each of the said Paul de Roberval Ouimet, Miss Eugénie Ouimet, Miss Marie Ouimet, and Aldric Ouimet, and the proportion of each shall be added to the amount to be covered by the first sale of shares to be effected, and the said proportions shall be paid to the proper party by the said bank out of the proceeds of the said sale, on presentation of the accounts duly approved by the four interested parties.

Coming into force.

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

## C H A P. 156

### An Act respecting the estate of John Parker

[Assented to, 17th of March, 1919]

Preamble.

**W**HEREAS the Reverend Victor Thérien, priest, and Bertha Parker, wife of Alphonse S. Pelletier, advocate, all of the city of Lachine; the first two in their quality of testamentary executors of John Parker, in his lifetime, contractor, of the parish of Lachine; and the said Bertha Parker, wife of Alphonse S. Pelletier, advocate, of the city of Lachine; Caroline Parker, wife of Alfred Donovan, jeweller, of the city of Montreal; Annie Parker, wife of Edward Millaire, physician, of the city of Montreal; Rose Parker, wife of Anatole Carignan, manager, of the city of Lachine, residuary legatees of the said John Parker, have, by their petition, represented:

That, by his will made before James Lonergan, N.P., and Odilon Crépeau, N.P., at Montreal, on the 12th March, 1904, and by his first codicil before James Lonergan, N.P.,