

against
estate.

act shall be charged to the said estate, and shall be payable out of the revenues mentioned in the foregoing section.

Coming into
force.

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

C H A P. 157

An Act respecting the estate of the late Isaïe Racine

[Assented to, 4th of March, 1919]

Preamble.

WHEREAS Amédée Racine, farmer, of the parish of Verchères, acting in his capacity of testamentary executor and administrator of the property comprising the estate of the late Isaïe Racine, in his lifetime merchant, of the parish of Verchères, has, by his petition, represented:

That, by his will made on the 24th of September, 1890, before E. E. Chagnon, notary, the late Isaïe Racine, merchant, residing in the parish of Verchères, bequeathed all his property to the children born and to be born of the marriages of Wilfrid, Amédée and Philomène Racine, wife of Philibert Brodeur, and all three children of the said testator;

That the latter have had the administration of such property and are bound to divide it among the grandchildren of the said testator at their age of majority, and when they shall have brought up all their children; in this division of money interest and interest on interest shall be included;

That the testator ordered that the moneys which he might leave at his death should be invested every year in order thus to increase;

That the testator willed that the said Amédée, Wilfrid and Philomène Racine shall inherit from their children who may die while minors the legacies bequeathed to them by his said will, but that the estate of the testator's grandchildren thus deceased shall pass to all the said testator's other grandchildren and be divided among them by heads;

That it was stipulated that, in case some of the said grandchildren should marry while minors and die leaving children born of these marriages, such grandchildren be considered as his other grandchildren and share with them in the legacies and provisions of his will abovementioned;

That the late Isaïe Racine died at Verchères, on the 29th day of July, 1894;

That Amédée Racine is now sixty years old and father

of three children, living, namely Arthur, Raoul and Anna-Maria;

That Wilfrid Racine died at Verchères on the 12th day of September, 1895, leaving four children, living, namely: Wilfrid, Aimé, Philibert and Esdras;

That Philomène Racine is 47 years old and is married to Philibert Brodeur, and that of their marriage were born 14 children, living, namely: Joseph, Louisa, Hélène, Théodore, Xavier, Arthur, Maurice, Armand, Christophe, Adolphe, Léa, Maria, Léopold and Yvonne;

That Yvonne Brodeur is the youngest child of the said Dame Philomène Racine and is 6 years old;

That Amédée Racine, abovementioned, is the only testamentary executor of the estate of the late Isaïe Racine;

That the administration of the estate entails useless expense;

That it is desirable that this estate be divided beforehand and immediately, in order that the heirs of full age may enjoy and dispose of their property and revenues, and that, in the case of those who are minors, such property shall continue to be administered by their respective tutors;

That this estate consists of various sums of money which can easily be divided;

That, under the circumstances, it is desirable that this division be effected immediately;

Whereas it is expedient to grant the prayer contained in the said petition;

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

1. Notwithstanding any provisions to the contrary in the will of the late Isaïe Racine, made on the 24th of September, 1890, before E. E. Chagnon, notary, and witnesses, Division of property by executor of will. the property comprising his estate shall be immediately divided by his testamentary executor and administrator, Amédée Racine, among all the grandchildren of the said late Isaïe Racine, according to the terms of his said will.

2. That the shares of his grandchildren who are minors shall be entrusted to their respective tutors, and, Shares of minor children. until their majority, they shall continue to be administered by their said tutors, according to law; and should any of them die while minors, their shares shall pass to all the grandchildren then living of the late Isaïe Racine, and shall be divided among them by heads.

Share of
children of
minors.

3. If any of the minor grandchildren of the testator should marry while minors and die leaving issue of their marriages, such children, notwithstanding any provisions in this act to the contrary, and notwithstanding any provisions contained in the will of the late Isaac Racine, shall inherit only their parent's share.

Coming into
force.

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

CHAP. 158

An Act to define the powers of the executors under the will
of the late Francis Chattan Stephens

[Assented to, 17th of March, 1919]

Preamble.

WHEREAS the late Captain Francis Chattan Stephens, a captain in the Canadian Army, died at the city of Montreal, on the 16th day of October, 1918, leaving his last will and testament made in the form according to the laws of England and bearing date the 10th day of August, 1914, and homologated by the Superior Court for the district of Montreal on the 30th of October, 1918; and

Whereas by said will he bequeathed all his property moveable and immoveable to his executors, as trustees, in trust for the purposes mentioned in the will; and

Whereas the bulk of the property left by the said Captain Stephens consisted in a one-fourth undivided interest in the estate of his father, the late Honourable George Washington Stephens, in his life-time of the city of Montreal, which estate consists very largely in immoveable properties in the city of Montreal; and

Whereas doubts have been expressed as to whether the executors and trustees of the will of the late Captain Francis Chattan Stephens have the right to sell the interest of the said late Captain Stephens in the said immoveables composing the estate of the late George Washington Stephens and other immoveables left by him without the concurrence of the heirs under said will or of some one representing said heirs, and also as to whether without such concurrence the executors and trustees have the right as representing his estate to take part in such partitions as the state of indivision of the estate of the late Honourable George Washington Stephens may give rise to; and

Whereas Dame Hazel Beatrice Kemp, widow of the late