

3. That certain hypothec created by a deed passed before E. P. Felton, N. P., the 16th day of November, 1905, by C. F. Olivier to the heirs of the late Henry Speid, and transferred by A. T. Speid to Misses Mary and Ellen Woodward by deed of transfer passed before E. B. Worthington, N. P., on the 29th day of August, 1911, and that certain hypothec created by a deed of obligation and mortgage passed before E. B. Worthington, N. P., on the 29th day of August, 1911, from Charles F. Olivier, to Misses Mary Woodward and Ellen Woodward, shall be good and valid in the same manner as if the said clause had never been written.

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

Coming into force.

CHAP. 160

An Act for the relief of the universal legatees of the Honorable Joseph Octave Villeneuve.

[Assented to 5th March, 1915]

WHEREAS Jacques Villeneuve, merchant's clerk, of the city of Montreal, has, by petition, represented:

Preamble.

That by his will dated the 16th October, 1900, before Messrs. Joseph P. Landry and Hilaire Hurteau, notaries, the Honorable Joseph Octave Villeneuve, senator of the Dominion of Canada, after certain special legacies, bequeathed the surplus of his moveable and immovable property to the children born and to be born of his children Jacques, Eugène, Frédéric and Rachel, in equal shares, constituting them his universal legatees, and that the testator died on the 7th June, 1901;

That by the fifth clause of his will, the testator charged his testamentary executors to provide for the maintenance and education of his universal legatees, and, to that effect, authorizes them to pay them an annual rent of two hundred dollars, from the age of eight years, and at their majority to pay them the capital of such rent, which he fixed at four thousand dollars;

That the said testator ordered that the surplus of the property bequeathed to his universal legatees should remain in the possession of his testamentary executors until the final partition thereof, which was to take place twenty years after his death; and that the interest on the capital and

revenues from the immoveables of his estate were to accumulate until the date of the partition;

That since the testator's death, the value of the property of which the estate consists, has considerably increased, and the annual revenues from same have been more than doubled;

That, all yearly expenses, rents and charges of the succession being paid, there remains a surplus of receipts of over twenty-five thousand dollars every year;

That the universal legatees who are now living, are seventeen in number; of this number, six are of the full age of majority and have agreed to the application for the passing of this act;

That the testator's universal legatees are now at the age when they require more aid, both as regards education and in making for themselves a position in life corresponding to their social position, and the fortune they are called upon to receive;

That some of the legatees who are of full age are now destitute and immediately need assistance;

That the testamentary executors and administrators of the estate of the said J. O. Villeneuve do not oppose the passing of this act;

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:

Executors authorized to take certain amounts out of surplus.

1. The testamentary executors and administrators of the estate of the Honorable Joseph Octave Villeneuve may, every year, take out of the surplus of his estate (including the accumulated and capitalized revenues), after having paid the annual charges and rents, an amount not exceeding one thousand dollars for each of the universal legatees of the said estate, for the purpose of providing for the cost of education and maintenance of the said legatees, and of aiding them generally, as they may deem advisable.

And to pay additional amounts to children of the testator.

Up to the time of the partition of the estate, the testamentary executors shall pay, by quarterly instalments, an annuity of one thousand dollars to each of the children of the testator, in addition to what they already receive.

Sums payable to legatees to be non-transferable and unseizable.

2. The sums which the testamentary executors may pay every year to the said legatees are declared non-transferable and not liable to seizure; they shall be paid as alimony to each legatee, and in the event of his or her death, to his or her children, by roots, but the amount so

paid, and the interest thereon, calculated at five per cent per annum, shall be charged to the share of the inheritance of each legatee, and shall be deducted from such share, when the partition of the property of the estate is made.

3. The estate shall pay the costs and disbursements Costs of this act. incurred for the passing of this act.

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

CHAP. 161

An Act respecting the succession of the late James McCready.

[Assented to 5th March, 1915]

WHEREAS Dame Margaret McCready, widow of the Preamble.

late Francis Langan, in his lifetime of the city and district of Montreal, appraiser, George Thomas Langan, Frederick Francis Langan, Stella Frances McCready Langan, Dame Helena Mary Bridget Langan, wife separate as to property of Robert Bertie Stuart, of the city and district of Montreal, commercial traveller, (children of the said dame Margaret McCready), and the said Robert Bertie Stuart for the purpose of authorizing his wife and acting in his capacity of tutor to their minor children, and Dame Catherine Charlotte McCready, widow of William Mulligan, in his lifetime of the city and district of Montreal, private secretary, acting in her capacity as tutrix to the minor children issue of her marriage with the said late William Mulligan, and Miss Kathleen Gladys Dolan, spinster, and Dame Mary McCready, widow of James McGill, in his lifetime of the city and district of Montreal, contractor, have by their petition represented:

That by his will made at Montreal, before William Fahey and Adolphe LaBadie, notaries public, on July 21st, 1890, the said late James McCready, after making certain particular legacies, bequeathed in trust to his three executors therein named his entire estate, moveable and immoveable, real and personal, with power to act beyond the year and day, and to appoint successors to themselves;

That the said trust was created in favour of the grand-nephews and grand-nieces of the testator, who are alive