

That the testator's wife, his heirs of the age of majority, his testamentary executors, the tutrix to his minor heirs, with the concurrence of the subrogate tutor, have given their consent to this act, the sole object of which is to fix the age at which the testator's children may receive the sum of ten thousand dollars given by the said will, at twenty-five years instead of thirty-one;

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 make certain payments, &c.

1. The testamentary executors of the late Louis Philorum Lazure, notwithstanding any provision to the contrary contained in his solemn will dated the 8th July, 1909, shall pay, if the testator's wife deems it advisable, to each of his children on their attaining the full age of twenty-five years, the sum of ten thousand dollars; such sum to be paid on account of the share of each of the said children. Nevertheless, the sum of one thousand dollars which may have been paid to any of the daughters of the testator on her marriage, in accordance with the provisions of his will, shall be deducted from the sum of ten thousand dollars which she shall have the right to claim under this act.

Will otherwise not affected.

2. All the clauses of the said will not inconsistent with this act, shall remain in full force and effect.

Coming into force.

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

C H A P . 120

An Act respecting the substitution created by the will of the late Wolfred Nelson, as regards the representatives of the late Walter James Nelson.

[Assented to 21st December, 1912]

Preamble.

WHEREAS Dame Charlotte S. Nelson of the town of Laval des Rapides, Province of Quebec, wife of Alfred Brien dit Desrochers of the same place, farmer; Dame Fleurine Nelson of St. Placide, Province of Quebec, wife of Alphonse Bertrand of the same place, trader; Miss Annie Nelson, spinster, of the town of Laval des Rapides, Province of Quebec, John George Nelson and Walter Joseph Nelson, both commercial travellers, of the city of Montreal, Province of Quebec, have by their petition represented among other things :

That the late Wolfred Nelson, in his lifetime physician, residing in the city of Montreal, died after having made his will on the 6th May 1861, before Messrs. Ant. O. Rousseau and C. E. Belle, notaries, bequeathing the enjoyment of his property to his children and the ownership thereof to his grand-children;

That among the testator's children was Walter James Nelson, in his lifetime farmer, of the parish of St. Martin, now forming part of the town of Laval des Rapides, to whom he bequeathed a farm now known and described as number 271 of the cadastre of the parish of St. Martin now included in the territory of the town of Laval des Rapides, which legacy reads as follows in the said will:

"The said testator wishes and intends that Walter James Nelson, one of his sons, shall have the use and enjoyment of the farm, house and live stock belonging to the said testator, to form part of the property which the said testator may have, the ownership thereof to revert to his children without the said Walter James Nelson being obliged to pay any money whatever to his brothers or sisters, but if the share of each of the testator's children should amount to more than twelve hundred pounds currency, in such case the said Walter James Nelson shall have the right to claim his share and portion of such excess, if any there be."

That the said Walter James Nelson died in that part of the parish of St. Martin now comprised in the limits of Laval des Rapides, on the 21st January 1911, leaving six children, namely: the present petitioners and Edouard Nelson, fireman, of the city of Montreal;

That by deed of sale of rights in the succession, dated the 27th May, 1911, before Mr. Gustave Baudouin, Notary, the said Edouard Nelson transferred to his five co-heirs, namely the present petitioners, all his rights in the said farm No. 271 of the cadastre of St. Martin, now within the territory of the town of Laval des Rapides;

That the petitioners, owing to their respective occupations, are unable to cultivate the said farm profitably;

That the said farm has so increased in value that it would be more advantageous to sell it ;

That Dame Sophie Nelson, of the city of Quebec, widow of the late Cornelius M. Brosnan, the sole survivor of the institutes in the substitution of the late Wolfred Nelson, consents to the petitioners' selling the said immoveable and also that an act be passed to that effect;

That doubts have been expressed as to whether or no the children of the said Walter James Neilson are substitutes under the will of the late Wolfred Nelson, and in consequence as to the petitioners' powers to hypothecate and sell the said immoveable

No. 271 of the cadastre of the parish of St. Martin now within the territory of the town of Laval des Rapides.;

Whereas the petitioners pray for the passing of an act to authorize them to sell the said immoveable;

Whereas it is expedient to grant the prayer of 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:

Certain sale
authorized,
&c.

1. The petitioners, children of the late Walter James Nelson, and the curator to the substitution which may exist under the terms of the will of the late Wolfred Nelson, upon previously obtaining the consent of the family council, duly homologated, are authorized to sell the said immoveable by private sale and to receive the purchase price, and to give a valid discharge to the purchaser, provided, however, that the price be invested or deposited in accordance with the provisions of article 953*a* of the Civil Code, and the purchaser shall be discharged from following the purchase price, once for all, so soon as it has been invested in accordance with the provisions of paragraphs 3 and 4 of the said article 953*a*, or deposited in the hands of the prothonotary in accordance with paragraph 5 of the said article.

Proviso.

2. The petitioners shall be relieved from compliance with the above formalities and obligations so soon as a judgment shall have been rendered declaring them called to the substitution.

Coming into
force.

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

CHAP. 121

An Act respecting the estate of Pierre Edmond Paquette.

[Assented to 21st December, 1912]

Preamble.

WHEREAS Edmond Joseph Paquette, commercial traveller, of Rigaud, county of Vaudreuil; Roméo Georges Paquette, merchant of the city of Montreal; Dame Annonciade Paquette, wife separated as to property of John Brannen, physician, both of Long Lake, State of New York, and the said John Brannen to authorize his wife for the purposes of these presents; Dame