

C H A P . 114

An Act to amend the act respecting the estate of the late John
Pratt

[Assented to 4th June, 1910]

Preamble.

WHEREAS A. Baron Lafrenière, of the town of Longueuil, in his capacity of tutor to his minor children, issue of his marriage with the late Marie Mathilda Pratt; Charles L. Pratt, of the same place; Alexandre Pratt, of the same place; Blanche P. Pratt, wife of Raoul Lebeau, duly authorized by her husband, of the city of Montreal; Georges Henri Bourdon, of the town of Levis, in his capacity of tutor to his minor children issue of his marriage with the late Evéline Pratt; Muriel Emilie Pratt, of Montreal, wife separated as to property of Joseph Mauffette, veterinary surgeon, of the same place, duly authorized by her husband, all heirs to the estate of the late John Pratt, have by their petition represented that it is in the interest of all the parties to the said estate that the act 1 Edward VII, chapter 94, as amended by the act 7 Edward VII, chapter 137 be again amended;

Whereas the revenues of the estate justify such application;

Whereas the testamentary executors and other parties interested are not opposed to such application;

Whereas it is expedient to grant the petitioners' prayer;

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

1 Ed. VII,
c. 94, s. 1 re-
placed.

1. Section 1 of the act 1 Edward VII, chapter 94, as replaced by section 1 of the act 7 Edward VII, chapter 137, is again replaced by the following:

Executors,
&c., of John
Pratt author-
ized to make
certain allow-
ances, &c.

1. It shall be lawful for the testamentary executors and administrators of the estate of the late John Pratt, out of the surplus revenues of the estate over the expenditure (but including the accumulated or capitalized revenues) the charges and annual rents being first paid, to make, from time to time, as they may think proper, to any one of the grandchildren and in the event of the death of any of them leaving children, to any one of the great-grandchildren of the testator, advances not exceeding the following amounts; to the grandchildren two thousand four hundred dollars per annum each, and to the great-grandchildren a like amount of two thousand four hundred dollars, per root to be divided between them, and so that there shall not be paid more than two thousand four hundred dollars in the course of a year to any one of the grandchildren, or to any of the great-

grandchildren by roots. Every such sum so paid to any of them, as well as the interest thereon at a rate to be fixed by the testamentary executors, from time to time, but not to exceed three per cent per annum, capitalized each year, shall be charged to his or her share of the property of the said testator, and shall be counted and deducted when the partition of the property is made."

2. Section 4 of the act 7 Edward VII, chapter 137, is replaced 7 Ed. VII., c. 137, s. 4 replaced. by the following:

"**4.** The sum of two thousand four hundred dollars mentioned Certain sum payable quarterly, &c. in section 1 of this act, shall be payable quarterly and shall be in the nature of an alimentary allowance, and as such shall not be assignable nor liable to seizure."

3. The testamentary executors and administrators of the estate of the late John Pratt shall pay, out of the excess of the revenues over the expenses of the estate (but including the accumulated or capitalized revenues), but only after providing for the advances above mentioned, to each one of the testator's children : Charles Alfred Pratt, Evelina Marie Louise Pratt, Virginie Pratt, Aloysia Pratt, Frédéric Emile Georges Pratt and to Louis V. F. G. Perry, an additional sum of two thousand dollars per annum, but, in so far as the said Louis V. F. G. Perry is concerned only until he attains the age of majority. Such sum shall be in the nature of an alimentary allowance, shall not be assignable nor liable to seizure and shall cease to be paid at the death of each of the said children. Certain payments to be made, &c.

4. The estate of the late John Pratt shall pay the costs and disbursements incurred by the institutes and substitutes for Payment of costs of this act. the passing of this act.

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