

## CHAP. 143

## An Act respecting the estate A. F. Gault

[Assented to 14th March, 1907]

**W**HEREAS Andrew Hamilton Gault, Mrs. P. G. R. Benson and Mrs. A. F. Gault, legatees under the will of the late Andrew Frederick Gault, have by their petition represented :

That by the terms of his last will, passed before W. de M. Marler, N. P., and colleague, on the 11th June, 1902, the late Andrew Frederick Gault, after making certain special bequests, vested the residue of his estate in trustees who were given wide discretionary powers ;

That the property in said residue was left to the testator's trustees in trust for his two children, Andrew Hamilton Gault and Mrs. P. G. R. Benson, in equal shares ;

That one clause of the will provides, that the trustees may pay to the children, during his or her life-time, such annual allowance, not exceeding five thousand dollars per annum, as the trustees may in their uncontrolled discretion think proper ;

That when the son attains the age of thirty years, the trustees are authorized to divide the whole net annual income, less the provision for Mrs. Gault, among the two children, and may also pay to the son his share in the estate. The daughter's share is to remain vested in the trustees, who may pay her the whole net annual income thereof ;

That the children of the testator are authorized to dispose of their respective shares by will, but under certain restrictions as to the legatees ;

That the annual revenue of the estate exceeds \$60,000, as appears by the last annual statement produced by the trustees ;

That the trustees approve of this application ;

That the curator to this substitution has been duly authorized to consent to this act and has done so ;

That the allowances authorized by the will of the late Andrew Frederick Gault to be paid by his trustees to his children, are inadequate owing to the additional expenses of the legatees, and the petitioners have prayed that the same should be increased to fifteen thousand dollars per annum, and the trustees are of the opinion that such increase would in the circumstances be reasonable ;

Whereas it is expedient to grant such prayer ;

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

Trustees may increase allowances.

**1.** The trustees appointed under the last will of the late Andrew Frederick Gault, passed before W. de M. Marler, N. P., and colleague, on the 11th June, 1902, shall, out of the annual revenues of the estate, increase the annual allowances payable to the children of the testator, to the sum of fifteen thousand dollars each per annum, anything in the said will to the contrary notwithstanding.

Allowance to be treated as advance, &c.

**2.** The additional annual allowance provided for in the first section of this act, shall be treated as an advance to the said legatees.

The said advance so made shall be refunded to the estate with interest chargeable annually by the said legatees or their representatives, and the said trustees are hereby authorized to and shall retain out of the revenues of the estate or out of the shares of the legatees, as the case may be, such amount, after payment of the annual allowance of \$15,000.00 each, as may be necessary to repay such advances. The said repayment shall be guaranteed by the legatees jointly and severally out of their shares in the estate.

How to apply.

**3.** The said increases shall apply to the payments due on the 31st December, 1906.

Coming into force.

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

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## CHAP. 144

An Act respecting the estate of the late Dame Joseph Lacombe

[Assented to 14th March, 1907]

Preamble.

**W**HEREAS Dame Marie-Louise Lacombe, Marie-Victorine Lacombe, Marie-Anna Lacombe, of the age of majority and having the full enjoyment of their rights; Marie Rose Lacombe, wife of Camille Jérôme Grenier, and by the latter duly authorized, all daughters of the late Dame Joseph Lacombe, (*née* Marie-Louise Durand *dit* Desmarchais), and her universal legatees as regards ownership, and Simon Lacombe, son and particular legatee of the said late Dame Joseph Lacombe, all of the village of Côte des Neiges, in the district of Montreal, have, by their petition, represented :