

1. The said legatees who are institutes in the substitution of ^{Institutes} the late Ferdinand David, and his testamentary executor, are ^{authorized to} authorized to sell, with the concurrence of the curator, on ^{sell bank} the stock exchange, such bank shares as they hold in their ^{shares, &c.} respective names, alone or jointly with the curator.

2. The said legatees who are intitutes in the substitution, ^{Investment} and the said testamentary executor, are authorized to invest ^{of proceeds} the principal of the said substitution in the manner provided ^{under art.} by article 981^o and following of the Civil Code, and to change ^{981^o et seq} the said investments and invest the said principal upon other ^{C. C.} immoveable property or hypothees, in accordance with the provisions of the said articles, provided such investments be effected with the concurrence and consent of the said curator.

3. The principal when not invested, shall be deposited in ^{Deposit in} a chartered bank in Canada in the joint names of the curator ^{bank of un-} and executor or of the legatee interested, in the case of im- ^{invested} moveable property already divided. ^{proceeds.}

4. All sales, acquittances and other deeds entered into or ^{Sales under} executed with the concurrence of the said curator as above set ^{above, good} forth, shall be sufficient as regards third parties, who shall not ^{quoad third} be responsible for the principal concerned. ^{parties.}

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

CHAP. 147

An Act respecting the estate of the late Robert Peddie

[Assented to 28th February, 1907.]

WHEREAS The Royal Trust company, a body politic and ^{Preamble,} corporate, having its principal place of business in the city of Montreal, has, by its petition, represented :

That by his last will and testament made and executed on the 12th day of April, 1899, at Glasgow, according to the law of Scotland, Robert Peddie, therein describing himself as merchant in Montreal and then residing in Glasgow, divested himself of all his property, moveable and immoveable, in favour of certain persons whom he appointed his trustees to administer his estate and dispose of it for the benefit of certain legatees named in his said will, and to whom he conferred by said will the powers of investment, loan or otherwise, which are by law conferred upon gratuitous trustees in Scotland ;

That on the 17th day of April, 1906, at the city of Montreal the said Robert Peddie made and executed in the form derived from the laws of England, a codicil to his said last will in and by which, among other dispositions, he revoked the appointment of the trustees made by his said will and named in their stead the said The Royal Trust Company, giving the latter only the powers which he had given to the trustees appointed by his said will :

That all the property comprising the estate of the said Robert Peddie is situate in the Province of Quebec and in the Dominion of Canada :

That serious doubts have arisen as to the right of The Royal Trust Company to exercise its powers as trustee under the said will according to the laws of the Province of Quebec, or otherwise than according to the provisions of the law of Scotland governing gratuitous trustees in Scotland :

That it is evident that the said Robert Peddie by his codicil of the 17th April, 1906, intended that The Royal Trust Company, as his trustee and executor, should administer his estate according to the laws of the Province of Quebec : but that it is doubtful whether, under the circumstances, effect can be given to such intention :

That if The Royal Trust Company were obliged to administer the said estate in accordance with the law of Scotland, the beneficiaries under the said will would suffer loss and damage :

That the said beneficiaries, being duly advised, have consented to the administration of the said estate according to the laws of the Province of Quebec :

Whereas the petitioner has prayed that an act be passed to remove the doubts that have arisen, and to confer upon it the power to administer the said estate according to the laws of the Province of Quebec : and 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 :

Powers of
Royal Trust
Company
over property
of Robert
Peddie
estate.

1. Notwithstanding anything contained in the will of the late Robert Peddie, dated at Glasgow the 12th day of April, 1899, and in the codicils thereto, the executor and trustee named by the said Robert Peddie in and by his codicil dated at Montreal the 17th day of April, 1906, to wit : The Royal Trust Company, has and always has had since the death of the said testator, as to the investment and administration of the properties moveable and immoveable comprising the estate of the said Robert Peddie, all the powers conferred

upon executors and trustees duly appointed under and in conformity to the law of the Province of Quebec.

2. In addition to the powers already conferred by the present act, the said executor and trustee may in its discretion preserve and maintain the investments made by the said Robert Peddie, or vary and transpose them if deemed advisable; and the funds of the estate or of any of the different trusts created by the will of the late Robert Peddie may be invested jointly with other funds in first mortgages or other securities held by or the property of The Royal Trust Company, provided such mortgages or securities are among those authorized for the time being by the law of the Province.

Additional powers of executor and trustee.

3. The powers of The Royal Trust Company as such trustee and executor shall last, and The Royal Trust Company shall be vested with the said powers so long as and until all the intentions of the said Robert Peddie, as expressed in his said will and codicils, have been fully and completely carried out.

Duration of powers.

4. For its services as such trustee and executor The Royal Trust Company shall receive the usual compensation payable in like cases.

May receive compensation.

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

Coming into force.

CHAP. 148

An Act to validate the sale and adjudication from Ovide Antoine Richer and others to Thomas Hannah, dated 3rd July, 1885

[Assented to 14th March, 1907]

WHEREAS Thomas Hannah, of the parish of St. Laurent, county of Jacques Cartier, in the district of Montreal, farmer, has, by his petition, represented :

Preamble.

That Dame Marie Anne Ste. Marie, of the city of Montreal, widow of the late Antoine Voyer, in his lifetime of the same place, gentleman, made at said city of Montreal, her last will and testament on 30th November, 1859, before J. Belle, N.P., and his colleague, A. A. Seers, N. P., and that the said last will and testament became effective by the death of the said estatatrix at the said city of Montreal on 17th April, 1867 :