

The privilege of *bailleur de fonds* is reserved.

WHEREOF ACTE ; under the number four thousand, six hundred and twenty-eight.

DONE AND PASSED in my office, at Terrebonne, on the day and in the month hereinabove written.

And the appearers have signed these presents first duly read in the presence of the undersigned notary.

(Signed) LOUIS DYDIME MASSON,

“ JOSEPH MASSON,

“ E. S. MATHIEU, N. P.

True copy of the original of these presents remaining of record in my office.

E. S. MATHIEU, N. P.

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## CHAP. 119

### An Act respecting the will of the late Archibald McCormick, senior

[Assented to 2nd June, 1904]

**W**HEREAS Louisa McCormick, of the town of Salaberry de Valleyfield, in the district of Beauharnois, spinster and of the age of majority, and Mary McCormick of the same place, wife separate as to property of Frank Carver of the same place, railway conductor, and by him duly authorized for the purposes thereof, legatees under the last will and testament of the late Archibald McCormick, senior, in his lifetime of the parish of Ste-Cécile, in the said district of Beauharnois, farmer and gentleman, made before Zephirin Boyer, notary public, on the 26th April, 1888, have, by their petition, represented : Preamble.

That, on the 26th April, 1888, the said late Archibald McCormick, senior, made his last will and testament, passed before Zephirin Boyer, notary public ;

That, on the 21st March, 1893, the said late Archibald McCormick, senior, departed this life without having altered or revoked his said will ;

That, on the 11th November, 1893, the said will was registered in the registry office in the registration division of the county of Beauharnois, and on the 21st December, 1893, in the registry office in the registration division of Montreal West ;

That, at the time of the death of the said late Archibald McCormick, senior, there were then living, five children, issue of his marriage, to wit, the said petitioners, daughters, and Duncan McCormick, Archibald McCormick and Angus John McCormick, sons, and also Alexander Stearns McCormick, son of Duncan McCormick, a grandson ;

That, clause 4 of the will of the said late Archibald McCormick, senior, is as follows, to wit :—

“ 4th. I do give and bequeath unto my two daughters, Louisa and Mary McCormick, the balance of the whole and every part of my property and estate, both real and personal, moveable and immoveable, that I may be possessed of and entitled to at the time of my decease, the same to be by my said daughters equally used, received, enjoyed and disposed of as they may see fit and proper, and I do hereby constitute them my universal and residuary legatees and devisees, provided they would remain unmarried, and in case they would get married, then such legacy is made in usufruct *en usufruit*, their lifetime, with substitution in favor of their children ; but in case no children would be born from their marriage, then the substitution would be made in favor of the brothers and sister or nephews or nieces ” ;

That, since the death of the said late Archibald McCormick, senior, one of his daughters, to wit, the said petitioner Mary McCormick, became married, but no children have been born from the said marriage ;

That the said petitioner Louisa McCormick is fifty-one years of age and the said petitioner Mary McCormick is forty-nine years of age.

That there is no other nephew of the said petitioners, save and except the said Alexander Stearns McCormick, son of Duncan McCormick, who would thus be the only nephew to be called to the substitution, and there are no nieces ;

That the only persons, besides the said petitioners, who were or who can be interested in the said will, and particularly in the said clause 4, are the said Duncan McCormick, Archibald McCormick and Angus John McCormick, brothers, and the said Alexander Stearns McCormick, nephew of the said petitioners ;

That the said interested parties, to wit, the said Duncan McCormick, Archibald McCormick, Angus John McCormick and Alexander Stearns McCormick, in order to favor and assist the said petitioners, have acquiesced in the said prayer of the petitioners, and, by deed passed before J. F. Reddy, notary, on the 30th March, 1904, have renounced, in favor of all said petitioners, to all the rights they have or can eventually have under the said clause 4 of the said will ;

That one undivided half of the following immoveable prop-

erties, to wit, lots 164 and 165 on the official plan and in the book of reference for the parish of Ste. Cecile, in the district of Beauharnois, and lots 428, 429 and 430 on the official plan and in the book of reference for St. Anne ward in the city of Montreal, in the district of Montreal, formed part of the estate and succession of the said late Archibald McCormick, senior, and was and is affected by clause 4 of his said will :

That said petitioners have an interest in having it declared, that, under the terms of their father's said will, and of the said renunciation, they are and have been, from and after the date of the said renunciation, the sole proprietors, unconditionally, in equal shares of the said one undivided half of the said immoveable properties, the other undivided half being theirs already ;

Whereas it is prayed, by the said petition, that an act be passed for the above purpose, 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 :

**1.** The undivided half of the immoveable properties, to wit : lots 164 and 165 on the official plan and in the book of reference for the parish of Ste-Cécile in the district of Beauharnois, and lots 428, 429 and 430 on the official plan and in the book of reference for St. Anne's Ward, belonging to the estate of the late Archibald McCormick in the city of Montreal, in the district of Montreal, is declared to be the sole property, unconditionally, in equal shares, of the said Louisa McCormick and Mary McCormick. Property declared to vest in certain persons.

**2.** As such sole proprietors, the said Louisa McCormick and Mary McCormick have the right and power to sell, and they are authorized to sell or otherwise dispose of the said immoveable properties when and as they may think proper, and to convey and grant valid titles for the same. Power to sell same.

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