

## C H A P. 137

An Act to authorize the provisional partition of the estate  
of the late Maria Morrin

[Assented to 25th April, 1903]

Preamble.

**W**HEREAS Frost Wood Gray, of the city of Quebec, and Maria Gray, of the said city, wife of Arthur Gascoyne Chapman, heretofore of the same place, have by their petition represented :

That Maria Orkney, widow of the late Joseph Morrin, in his lifetime of the city of Quebec, physician, by her last will and testament, duly executed before Edward Glackmeyer and another, notaries public, at Quebec on the 26th day of May, 1868, did devise and bequeath unto the said petitioners all she died possessed of, to be by them enjoyed during their lifetime and at their death to be vested in their children ; one half in the children of the said Frost Wood Gray and one half in the children of the said Maria Chapman ;

That, since the death of the said Maria Morrin, her estate has been administered by executors, although under the terms of the said will, it was not necessary to continue the office of executor ;

That the administration of the said estate by means of executors is both expensive and unsatisfactory, as it is almost impossible to find any one willing to assume the responsibilities gratuitously ;

That, it is in the interest of the said petitioners and of their children, that a provisional partition be made, and one half of the said estate be administered by the said Frost Wood Gray together with the curator to the substitution, and the other half be administered by the said Maria Chapman together with the curator to the substitution.

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

Power of  
executors to  
divide estate  
and to de-  
liver one half  
to F. W.  
Gray and the  
other half to  
Maria Chap-  
man.

**1.** The executors of the estate of the late Maria Orkney, widow of the late Joseph Morrin, appointed under her last will and testament, are hereby authorized to divide the said estate into two equal portions and to deliver one of the said portions unto Frost Wood Gray and the curator to the substitution created under the said will, and the other of the said portions unto Maria Gray, wife of Arthur Gascoyne Chapman and the said curator. Such delivery shall be made by a notarial conveyance in authentic form, the registration

whereof shall vest in the said Frost Wood Gray and the curator to the substitution and in the said Maria Chapman and the curator to the substitution, respectively, for the lifetime of the said Frost Wood Gray and Maria Chapman, all such property as may be mentioned in the respective deeds of conveyance whether real or personal.

How delivery to be made.

2. Should the said Frost Wood Gray or the said Maria Chapman not be satisfied with the division as proposed by the said executors, then and in that case each of them shall appoint an arbitrator and the said executors shall appoint a third one who shall together make the division.

If parties are not satisfied with division appointment of arbitrators.

In case of a difference of opinion among the arbitrators on any point, the opinion of the majority shall prevail.

Decision of majority to prevail.

3. The division hereby authorized shall, at the death of the said Frost Wood Gray and Maria Chapman, serve as the division into two equal halves required by the will; the children of the said Frost Wood Gray taking the half administered by him and the curator, and the children of the said Maria Chapman taking the half administered by her and the curator.

Division to serve as division of estate upon death of F. W. Gray and Maria Chapman.

4. Upon the conveying of the said estate, by notarial conveyance as above provided for by the said executors, unto the said Frost Wood Gray and the said Maria Chapman, together with the curator to the substitution, and the rendering of an account of their administration, the present executors of the estate shall be free from all responsibility.

Executors freed from responsibility after performance of certain duties.

5. The said executors are hereby authorized to sell and dispose of, by private sale or otherwise, after valuation made by two sworn experts, but not for less than the valuation made by said experts, any of the said property, real or personal, of the estate which they may consider advisable to sell in order to effect the division into two equal portions as above provided for.

Power of executors to sell property.

The purchase price shall be invested by them according to articles 9810 and following of the Civil Code before being handed over by them.

Investment of purchase price.

6. Nothing contained in this act shall deprive the said Frost Wood Gray and the said Maria Chapman and the said curator to the substitution, after the said partition shall have been executed, from the right to avail themselves of the provisions of articles 953 and following of the Civil Code with regard to the sale of substituted property.

Certain rights preserved.

Payment of certain costs. 7. The costs of making the said provisional partition and the execution of the same, as well as of the obtaining of this legislation, shall be borne equally by the said petitioners, Frost Wood Gray and Maria Chapman.

Coming into force. 8. This act shall come into force on the day of its sanction

## C H A P . 1 3 8

An Act to extend, in favor of Herbert Molesworth Price, all the rights and privileges granted to George Benson Hall by the act 38 Victoria, chapter 98

[Assented to 25th April, 1903]

Preamble.

**W**HEREAS Herbert Molesworth Price, of Montmorency, has, by his petition, represented, that he is the assignee of all and every the rights and privileges granted to George Benson Hall by the act 38 Victoria, chapter 98, as appears by declaration before J. G. Couture, notary, at the city of Quebec, on the 30th of January, 1903, and that such act will expire on the twenty-third day of February, 1905 ;

Whereas he has prayed that the rights and privileges, so granted to George Benson Hall, be extended in his favor for a period of thirty years from the twenty-third day of February, 1905, and it is expedient, in the interest of persons engaged in lumbering on the Chaudiere River and its tributaries, to grant the request contained in such petition ;

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

Privileges under act 38 V., c. 98, conferred upon H. M. Price, and act extended for thirty years from 23rd Feb., 1905.

**1.** All the rights and privileges, granted to the said George Benson Hall by the act 38 Victoria, chapter 98, are hereby extended, in favor of Herbert Molesworth Price, of Montmorency, for a period of thirty years from the twenty-third day of February, 1905 ; and, from and after such date, the said Herbert Molesworth Price, his heirs and assigns, shall be authorized to enjoy all the rights and privileges granted by the said act to the said George Benson Hall, in the same manner and to the same effect as if the said act were again passed for another period of thirty years as aforesaid, and as if the name of the said Herbert Molesworth Price were substituted for that of the said George Benson Hall, wherever it appears in the said act.