

said interest to be paid by the said purchaser *à qui de droit*; the said purchaser also obliging himself to insure and keep insured against loss or damage by fire for an amount equal to the balance of said price, and to transfer to the holders of said claim, with preference over said purchaser's own claim, the policy of such insurance and the indemnity which may become due thereunder; the whole in accordance with the terms under said deed of sale from the said Dame Agnes Bruce *et al.*, to the said late William Watson Ogilvie of the twenty-ninth day of January, eighteen hundred and eighty-three, passed before the said W. de M. Marler, N. P., above recited, to the complete exoneration and discharge of the said vendors.

WHEREOF ACT :

DONE AND PASSED at the said city of Montreal on the date herein-above firstly written, under the number thirty thousand three hundred and seventy-eight of the original minutes of said undersigned notary, and after due reading said appearers have signed with and in the presence of said notary.

(Signed)	A. McNIDER,
	<i>per</i> A. E. OGILVIE, <i>Attorney,</i>
"	A. E. OGILVIE,
"	W. WATSON OGILVIE,
"	S. A. McMURTRY,
"	MARK WORKMAN,
"	E. H. STUART, N. P.

A true copy of the original remaining of record in my office.

E. H. STUART, N. P.

CHAP. 114

An Act respecting the estates of the late John McDougall and of the late Dame Maud Mary McDougall

[Assented to 26th March, 1902]

Preamble.

WHEREAS Edgar Mill McDougall, Agnes Kenneth McDougall, Jessie Edgar McDougall, all of the city and district of Montreal, Dame Linda Barbara McDougall, wife separate as to property of John D. Hayden, of Coburg, in the Province of Ontario, Frederick Clarence Henshaw, in his

quality of tutor duly appointed to Freda Maud Henshaw, minor child issue of his marriage with the late Maud Mary McDougall, have by their petition represented :

That the late John McDougall departed this life in July, 1892 ;

That the said late John McDougall, during his lifetime, was carrying on, in Montreal, an extensive business as founder and manufacturer of engines, boilers and other machinery, under the name, style and firm of John McDougall, and, was also carrying on an extensive business of car wheel manufacturer in partnership with his brother-in-law, Robert Cowans, under the name and style of John McDougall & Company ;

That the said late John McDougall, during his lifetime, outside of his foundry and boiler shop, acquired a large number of immoveables, in speculation, nearly all vacant properties, which were divided into lots for the purpose of disposing of same by private sale ;

That the said late John McDougall also acquired, in partnership with his brother-in-law, Robert Cowans, under the name of John McDougall & Company, a large number of immoveables, in speculation, nearly all vacant properties, which were divided into lots for the purpose of disposing of same by private sale ;

That the said Robert Cowans, partner of John McDougall in the firm of John McDougall & Company, has also departed this life in the month of April, 1900, and has, by his last will and testament, conferred upon his executors the right to sell his moveable and immoveable properties ;

That the said late John McDougall has also left in his estates shares in a great many incorporated companies and bonds in two companies, some of which he acquired alone, and others which he acquired with his brother-in-law, Robert Cowans, in the name of John McDougall & Company ;

That, by his last will dated the 21st of October, 1870, passed before Stuart, N. P., the late John McDougall instituted his five children as his heirs, to wit : Edgar Mill McDougall, Agnes Kenneth McDougall, Linda Barbara McDougall, wife separate as to property of John D. Hayden, Jessie Edgar McDougall, and Maud Mary McDougall, wife separate as to property of Frederic Clarence Henshaw ;

That the said Dame Maud Mary Henshaw, died at Montreal, in July, 1897, without leaving any will, but of her marriage with said Frederick Clarence Henshaw was born a child, to wit : Freda Maud Henshaw, who is still a minor, to whom her father Frederick Clarence Henshaw, was duly appointed tutor, and who has inherited her mother's share in the estate of the late John McDougall ;

That the great bulk of the property does not bring in any revenue, and it would be most advantageous to the heirs to sell the moveable and immoveable effects when a reasonable price can be realized ; that so many moveable and immoveable effects could not realise a reasonable price if they had to be sold all at the same time, as properties situated in one place may be declining when properties in another place are rising, and shares and bonds in an incorporated company may be rising when shares and bonds of another company may be declining for the time being, and that it would be to the advantage of the heirs to sell such of the immoveables and moveables which are rising, and delay the sales of those which are declining, until such time as an opportunity would offer itself ;

That under the circumstances a judicial sale would be most disadvantageous to the heirs ;

That the heirs of the late John McDougall and the father and tutor to the minor Freda Maud Henshaw are unanimously of opinion that a judicial sale would be most disadvantageous to all parties interested, and that the immoveables and moveable effects, including shares and bonds of incorporated companies, should be sold according to the circumstances which might favor a sale of any of them ;

That it would be to the advantage of the petitioners to sell both the moveable and immoveable property as opportunity offered for their advantageous disposal ;

That it is expedient to grant the prayer of the said petitioners ;

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

Certain persons may sell property of estates of late G. McDougall and Maud Mary McDougall without judicial authorization.

Proviso.

1. The tutor to Freda Maud Henshaw is hereby authorized to join the co-proprietors in the said estate to sell, by private sale or otherwise when they see fit, and without the necessity of any judicial authorization, the immoveables and moveables, including shares and bonds of incorporated companies, which they inherited respectively from the late John McDougall and the late Dame Maud Mary McDougall, and to give a good and effectual title for the same, and the tutor to Freda Maud Henshaw is authorized to receive the part of the price coming to the said minor, but shall invest the same according to law, provided always that this act shall not be interpreted as depriving the heirs of their rights as to partition according to the dispositions of the Civil Code of Lower Canada.

2. On the death, resignation or ceasing to act of said tutor Powers under act revert to present tutor's successor.
for any cause whatsoever, the tutor appointed in his place shall have the same powers.

3. This act shall come into force on the day of its sanc- Coming into force.
tion.

CHAP. 115

An Act relating to the estate of the Honorable Joseph-Octave Villeneuve

[Assented to 26th March, 1902]

WHEREAS Dame Susan Ann Walker, of the city of Preamble.
Montreal, in the district of Montreal, widow of the Honorable Joseph-Octave Villeneuve, senator of Canada ; Dame Rachel Villeneuve, wife of Alphonse Morin, prothonotary of the Superior Court for the district of Iberville, and the said Morin a party to these presents to authorize his wife ; Jacques Villeneuve, agent, of the city of Montreal ; Eugene Villeneuve, accountant, of the same place, and Frederic Villeneuve, advocate, of the city of Edmonton, in the North West Territories, member of Parliament for St. Albert, in the Legislature of the North West Territories, have prayed for the passing of an act for the purposes hereinafter mentioned ;

Whereas it is expedient to pass an act to supplement the testamentary provisions and to regulate the estate of the late Honorable Joseph-Octave Villeneuve :

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

1. The testamentary executors of the said Joseph- Executors may borrow to pay debts, &c.
Octave Villeneuve may, when they consider it more advantageous than selling the property of the estate, borrow money sufficient to pay the debts and legacies of the testator, as well as the cost of the greater repairs, and the expense of making other properties yield returns.

2. The life rent payable to Dame Suzan Ann Walker is Mme Villeneuve's life rent.
hereby fixed at the sum of three thousand, six hundred dollars, payable according to the terms of the will.