



63 VICTORIA

CHAP. 111

An Act respecting the property belonging to the minor
Freda Maude Henshaw

[Assented to 23rd March, 1900]

WHEREAS, Frederick C. Henshaw, of the city and district of Montreal, tutor to Freda Maude Henshaw, his daughter, issue of his marriage with the late Maude Mary McDougall, has by his petition represented : Preamble.

That Freda Maude Henshaw, his daughter, and to whom he is tutor, was born of his marriage with the late Maude Mary McDougall, deceased daughter of the late John McDougall and an heir for one-fifth in his estate ;

That the said Maude Mary McDougall died in Montreal, in the month of June, 1897, without leaving a will, and that the said Freda Maude Henshaw, her only surviving child, is proprietor of her mother's share, to wit : one-fifth of the estate of the late John McDougall ;

That the heirs of the late John McDougall, composed of Edgar Mill McDougall, Agnes Kenneth McDougall, Jessie Edgar McDougall, Linda Barbara McDougall, wife of James D. Hayden, Frederick C. Henshaw as tutor to his said minor child, have continued since his death his extensive business of founder and manufacturer of engines, boilers and other machinery carried on by him alone during his lifetime under the name, style and firm of John McDougall Caledonian Iron Works ; and have also continued the extensive business carried on by him in partnership with his brother-

in-law, Robert Cowans, as car-wheel manufacturers, under the name and style of John McDougall & Co. ;

That the heirs of the late John McDougall have found it to be in their interest to form an incorporated company, under the name of The John McDougall Caledonian Iron Works Company, (Limited) with a capital of \$500,000, to continue the business carried on under the name and style of John McDougall Caledonian Iron Works ;

That the foundry and car-wheel shops were built and established by the late John McDougall in his own buildings and immoveable properties, and have been carried on since his death in the same premises, which form the most essential part of the capital necessary to carry on such business ;

That it is in the interest of the said Freda Maude Henshaw to form part of the incorporated company, The John McDougall Caledonian Iron Works Company (Limited), and to subscribe or acquire shares like her co-heirs in the said company ;

That it is in the interest of the estate John McDougall to sell to the said company the moveables and immoveables used by it in the carrying on of said business of John McDougall Caledonian Iron Works ;

That it is in the interest of the estate John McDougall to continue the carrying on, in partnership with Mr. Robert Cowans, of the business of car-wheel manufacturers, which has always been carried on under the name of John McDougall & Co. ;

Whereas the petitioner has prayed, by his petition, that an act be passed to that effect, and it is expedient to grant the said prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Tutor authorized to acquire shares in certain company, sell property, &c.

1. Frederick C. Henshaw, tutor to Freda Maude Henshaw shall, without fulfilling any of the formalities prescribed by law concerning minors, have full power to subscribe and acquire for her, shares in the capital stock of The John McDougall Caledonian Iron Works Company (Limited), to the extent of one-fifth, and to sell and convey to the said company her fifth in the moveables and immoveables used in the business carried on by the estate John McDougall, under the name of John McDougall Caledonian Iron Works, and give as good and effectual a title for the same as might have been given by her if of age, provided her co-heirs do the same.

The tutor is authorized to use the proceeds coming to the said minor from such sale in paying for the shares of the said minor in the company to be formed.

Nevertheless the shares subscribed for the said minor shall not absorb more than the proceeds of the sale of her fifth share of the moveables and immoveables used in the business carried on by the estate John McDougall, under the name of John McDougall Caledonian Iron Works.

2. The said tutor to Freda Maude Henshaw shall, without fulfilling any of the formalities prescribed by the law concerning minors, have full power to carry on with her co-heirs, in partnership with Robert Cowans, or otherwise, the business of manufacturing and selling car-wheels now carried on under the name, style and firm of John McDougall & Co.

Tutor authorized to carry in business with other heirs of estate McDougall.

3. The said tutor shall, without fulfilling any of the formalities prescribed by the law concerning minors, have full power to sell and transfer the share of the said minor in the business carried on under the firm name of John McDougall & Co., provided her co-heirs do likewise with their shares in such business. The share of the proceeds coming to the said minor shall be invested under the provisions of articles 981o and following of the Civil Code.

Power to sell minor's share in property.

4. On the death, resignation or ceasing to act of the said tutor for any cause whatsoever, the tutor appointed in his place shall have the same powers.

Powers of new tutor.

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

Coming into force.

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