

"That it shall and may be lawful to and for every person that is owner of any lands, goods or credits in the said Province, and that has a right to alienate the said lands, goods, or credits, in his or her lifetime by deed or sale, gift or otherwise, to devise or bequeath the same, at his or her death, by his or her last will and Testament; any law usage or custom, heretofore or now prevailing in the Province, to the contrary, whercof in any wise notwithstanding; Such will being executed either according to the laws of Canada, or according to the form prescribed by the laws of England."

2nd. The Provincial Statute of Lower Canada, passed in the forty-first year of His said late Majesty George the third, for the purpose of removing doubts and difficulties which had arisen touching the said last mentioned Imperial Act.

By this Provincial Act it was amongst other things enacted :

"That it shall and may be lawful for all and every person or persons of sound intellect and of age, having the legal exercise of their rights, to devise and bequeath by last will and Testament, whether the same be made by husband or wife, in favor of each other or in favor of one or more of their children, as they shall seem meet, or in favor of any other person or persons whatsoever, all and every his or her lands, goods or credits whatever be the tenure of such lands, and whether they be *propres acquets* or *conquests*, without reserve restriction, or limitation whatsoever, any law usage or custom to the contrary hereof in any way notwithstanding,—Provided always, that it shall not be lawful for a husband or wife, making such last will or Testament, to devise or bequeath more than his or her part or share of their community or other property and Estate, which he or she may hold, or thereby to prejudice the rights of the survivor, or the customary or settled dower of the children.

"Provided also that the said right of devising as above specified and declared, shall not be construed to extend to a devise by will and testament in favor of any corporation or other