



CHAPTER 125

An Act to amend the act respecting the Tourville estate

[Assented to, the 24th of March, 1926]

WHEREAS Rodolphe Tourville, manufacturer, Arthur Preamble.

Tourville, manufacturer, and Gustave Leduc, manager, all three of the city of Outremont, district of Montreal, in their capacity of testamentary executors and administrators who are trustees of the estate of the late Honourable Louis Tourville, have, by their petition, represented:

That the universal legatees as to ownership of the estate of the late Honourable Louis Tourville have represented to them that it is in their interest that the act 7 Edward VII, chapter 140, should be amended so as to increase the advances which they are receiving under said act, to increase also the sums payable to the children of the testator and the remuneration of the testamentary executors and administrators who are trustees;

That the revenues of the estate justify such request;

Whereas 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:

1. Section 1 of the act 7 Edward VII, chapter 140, is 7 Ed. VII, c. 140, s. 1, replaced.

1. The testamentary executors and administrators who Testamen- tary exe- cutors, etc., authorized to divide certain sum. are trustees of the late Honourable Louis Tourville are authorized every year to divide by anticipation, between his universal legatees as to ownership, eighty-five per cent of the future revenues of the property composing his estate, after having deducted the legacies, debts, expenses, charges and costs of administration, and after having paid to the children of the testator the sums which, added to the sums which they receive under the will, are necessary to equalize

the amount which the legatees may receive yearly under this act.

Additional payments.

If the revenues of the estate justify and the testamentary executors and administrators who are trustees deem expedient, the latter are authorized to pay by anticipation to the universal legatees, on the first day of June in each year, a sum not to exceed one thousand dollars; but, in such case, they shall also pay to the children of the testator the sums necessary to equalize, if there be occasion, the amount of one thousand dollars or any other amount which the legatees so receive by anticipation on the first of June of each year.

Revenues to be considered as capital.

Nevertheless the revenues so to be divided shall be considered and treated as capital and divided between the universal legatees in accordance with the terms and conditions of the will, the whole subject to clause 12 of the will.

Legatees to be born.

Each of the universal legatees, to be born, shall, at the final partition, receive without interest the revenues which they would have received each year if they had been living from the first division to the day of their birth."

7 Ed. VII, c. 140, s. 2, replaced.

2. Section 2 of the act 7 Edward VII, chapter 140, is replaced by the following:

Revenues to be paid.

"**2.** The testamentary executors and administrators who are trustees shall, at the end of each year, beginning from the year ending on the 30th of November, 1926, pay the revenues to be divided, or, if they have already paid a portion in the previous month of June, complete the payment of the balance of such revenues, to each of the children of the testator and to each of the universal legatees as to ownership or their representatives, under the terms of the will, the minors being represented by their tutor, who may invest the same, wholly or in part, for the purposes of their education and support."

In the event of death of legatees, etc.

3. In the event of the death of one of the universal legatees or of the children of the testator, the said testamentary executors and administrators who are trustees shall pay to his estate the proportion of revenues granted to them by this act, corresponding to the time elapsed since the last instalment.

7 Ed. VII, c. 140, s. 2a, added.

4. The said act is amended by inserting therein, after section 2 thereof, the following section:

Remuneration of exe-

"**2a.** The remuneration of the testamentary executors and administrators who are trustees of the estate shall be

increased by an amount of three thousand dollars, to be ^{cutors and} divided among them annually, from the 30th of November, ^{administra-} 1925.”
_{tors.}

5. The estate of the late Honourable Louis Tourville ^{Payment of} shall pay the costs and disbursements incurred for the ^{costs.} passing of this act.

6. This act shall come into force on the day of its ^{Coming into} sanction.
_{force.}
