

all who shared in the said partition in the same way as an absentee under article 101 of the Civil Code.

**5.** The cost and fees incurred in connection with the passing of this act shall be paid out of the mass of the estate of the said late Louis Raymond Plessis-Bélair. <sup>Costs of this act.</sup>

**6.** This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

## CHAP. 156

An Act to extend the powers of the executrix of the will of the late Charles G. Brown

*[Assented to, 14th of February, 1920]*

**W**HEREAS Dame Jennie C. Brown, of the city of Sherbrooke, wife separate as to property of Frank Norcross, of the same place, manager, and by him duly authorized, has, by her petition, represented, among other things, that on the fourth day of October, 1918, the late Charles G. Brown, her brother, made a will in the holograph form, which will was duly probated by the Superior Court for the district of Saint Francis on the 29th day of April, 1919; <sup>Preamble.</sup>

That the said Charles G. Brown died on the 26th day of December, 1918;

That, in his said will, the said Charles G. Brown made certain bequests, to the Baptist Church, to his brothers and sisters, and to certain nephews and nieces, and appointed the petitioner as his usufructuary legatee, and provided that after the death of the petitioner, his estate was to be divided as follows: to Beverly Norcross, daughter of your petitioner, one-half of the said estate, to Eva Brown, sister of the said Charles G. Brown, one-quarter of the said estate, and to Clarence Hallett, nephew of the said Charles G. Brown, the other quarter of said estate;

That the said Beverly Norcross and Clarence Hallett are minors;

That on the twenty-second day of September, 1913, the said Charles G. Brown made a will, before Borlase, N.P., at the city of Sherbrooke, which will was later changed by a codicil written upon a duly certified copy of said will;

That it appears by the said will of 1913, and by the will of the 4th of October, 1918, that it was the intention of the said Charles G. Brown to appoint your petitioner as executrix to his will, and to extend her powers as such

beyond the year and day limited by law, and to give her power to borrow, mortgage, sell and dispose of any and all real estate to him belonging;

That the said Charles G. Brown was, at the time of his death and for many years previously, engaged in the real estate business, and owned, at the time of his death, considerable real estate in and outside of Sherbrooke;

That almost all of the real estate which he owned was and is mortgaged for part of its value;

That the estate of the said Charles G. Brown consists largely in real estate which is mortgaged, and in balance of payments due on the sale of real estate;

That your petitioner has paid government duties on an estate valued at thirty thousand dollars, and, having no moneys to pay, she was obliged to borrow;

That there were taxes due on real estate belonging to the said Charles G. Brown when he died, and taxes have since become due, and your petitioner has no moneys to pay the same;

That the said Charles G. Brown has bequeathed, in special bequests, the sum of eleven thousand five hundred dollars (\$11,500.00), and that your petitioner has no moneys with which to pay these bequests;

That the estate of the late Charles G. Brown consists largely in real estate, which has been subdivided in lots which have been held under promise of sale, and it is necessary that your petitioner should be authorized to give deed of sale of the said lots;

That all the parties interested in the said succession have given power of attorney to your petitioner, authorizing her to mortgage, sell and dispose of the assets of the said estate, moveable and immoveable, as she may think best;

That it is in the interest of the petitioner and of all concerned, that the clauses of the said Charles G. Brown's last will be made clear and explicit, and that the petitioner be granted power to execute the same;

Whereas the said petitioner has prayed for the passing of an act to extend her powers beyond the year and day limited by law and to give her power to mortgage, sell and dispose of certain immoveable property of the said estate;

Whereas it is expedient to grant your petitioner's prayer;

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

Frank Norcross, manager, of the city of Sherbrooke, who is, by said will, appointed executrix to the said last will of Charles G. Brown, are as such extended beyond the year and day fixed by law. executrix extended.

**2.** The said Jennie C. Brown is authorized to execute deeds of sale of the subdivision lots of lots No. 1537 and No. 1539 of the official cadastre and book of reference of the south ward of the city of Sherbrooke, for which the said late Charles G. Brown has given promises of sale, in accordance with the terms of the said promises of sale, but the proceeds of the sale of the said lots must be invested as being the proceeds of the sale of substituted property in conformity with article 953a of the Civil Code. Authorization to execute deeds of sale.

**3.** The said Jennie C. Brown is authorized to borrow moneys for the purpose of paying the taxes now due on the real estate of the said estate, the amount paid to the Provincial Government for succession duties, and such sums as may be required to repay the existing mortgages registered against the real estate of the succession, and the special bequests made by the said Charles G. Brown in his said last will. Authorization to borrow money.

**4.** In case of death, refusal to accept, renunciation or incapacity to act of the testamentary executrix, a new executor may be appointed and replaced in accordance with article 924 of the Civil Code. Appointment of new executor.

**5.** This act must not be interpreted as validating or ratifying the holograph will of the late Charles G. Brown. Interpretation.

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

## CHAP. 157

An Act to validate and ratify the titles of the estate of the late Léonidas Villeneuve and the late Honourable Joseph Octave Villeneuve to certain immoveables in connection with a partition

[Assented to, 14th of February, 1920]

**W**HEREAS in an action for partition, being the case Preamble.  
No. 3879 of the records of the Superior Court of the district of Montreal, in which Joseph Arthur Villeneuve, merchant, George Antoine Bourdeau, notary, and Israel