

Executors
authorized
to continue
partnership.

1. The executors of the will of the said late Joseph Bowles Learmont are hereby authorized and empowered on behalf of the estate to enter into an agreement or agreements continuing the partnership of Caverhill, Learmont & Co., for a further period or periods of time not extending beyond the 1st January, 1920, on such terms and conditions as may be agreed upon with the said George Caverhill, and they are specially authorized to agree that the said George Caverhill be paid out of the said partnership business a salary or remuneration not exceeding ten thousand dollars per annum for his services as manager.

Terms and
conditions.

Voluntary
liquidation.

2. The executors are further authorized and empowered to join with the said George Caverhill in the voluntary liquidation of the said partnership business, or in the sale, alienation or other disposition of the business and assets of the continued partnership, for such considerations and upon such terms and conditions as may be mutually agreed upon.

Incorporat-
ion.

3. The executors are further authorized and empowered to join with the said George Caverhill in the incorporation of a joint stock company to take over the business and assets of the said partnership, for such considerations and upon such terms and conditions as may be deemed advisable, and, in particular, they are hereby authorized to accept shares and other securities in any such company in payment for the interest of the estate in the said partnership business.

Coming into
force.

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

CHAP. 158

An Act to validate the deed of final partition and division of the estate of the late Eugène Crépeau, to validate and ratify certain hypothecs, and authorize Beatrice Crépeau to sell certain immoveables of the estate.

[Assented to 5th March, 1915]

Preamble.

WHEREAS Dame Antoinette Côté, of the city of Quebec, widow of the late Eugène Crépeau, Béatrice Crépeau, of the city of Westmount, wife of Henri Jodoin, advocate, Louis Philippe Crépeau, advocate, of the town of Arthabaska, and Pierre Dieudonné Larivière, gentleman,

of the city of Montreal, have, by their petition, represented, among other things:

That the late Eugène Crépeau, by his will dated the 20th June, 1908, after confirming certain prior engagements and disposing of certain particular legacies, left as heirs and residuary legatees, his two children, the said Louis Philippe Crépeau and Béatrice Crépeau, bequeathing them all his property in usufruct, and the ownership thereof to the children of his said children, to be equally shared between the said heirs, with prohibition to sell, hypothecate or alienate the same, on condition of paying to Dame Antoinette Côté his wife a pension or life-rent of fifty dollars per month, so long as she remained a widow;

That by his will the said Louis Philippe Crépeau, Béatrice Crépeau and Antoinette Côté are appointed testamentary executors, and Pierre Dieudonné Larivière is appointed curator to the substitution;

That, by a special clause of the said will, no final partition of the estate can be made before the expiration of twenty-five years from the opening of the succession;

That from the testator's death until January, 1911, the said Louis Philippe Crépeau, Béatrice Crépeau and Antoinette Côté lived and dwelt together at Arthabaska, occupying the bequeathed property; but that since then Dame Antoinette Côté has lived and still lives at Quebec, Béatrice Crépeau at Westmount, the said Louis Philippe Crépeau dwelling alone at Arthabaska, so that the reasons that may have induced the late Eugène Crépeau to insert such clause in his will aforesaid, seem to have disappeared and to no longer exist;

That it is expedient to divide the said estate of the late Eugène Crépeau, and that, by deed passed before F. X. Lemieux, notary on the 19th December, 1914, the said heirs, with the consent of the curator to the substitution, made and passed an act of partition by mutual agreement, by which they, at the same time, guaranteed the monthly life rent to the said Dame Antoinette Côté by hypothec upon the immoveables of the estate;

That, as Béatrice Crépeau lives permanently at Westmount, and can no longer occupy the immoveables coming to her by the partition, and it is expedient that she be authorized to sell them by giving other immovable guarantees or hypothecs as equivalent security for the rent of the said Dame Antoinette Côté;

And whereas the petitioners have prayed that an act be passed to validate the deed of partition and division of the estate of the late Eugène Crépeau, dated the 19th December, 1914, and the hypothecs given by the said deed, in favour of Dame Antoinette Côté, and also to authorize

Béatrice Crépeau to sell the immoveables coming to her under the deed of partition, and, in such event, to give other immoveable or hypothecary securities for guaranteeing and securing the life-rent of the said Dame Antoinette Côté, and also to declare all the property comprising the estate, moveables and immoveables, capital, rents and usufruct, not liable to seizure for any debts contracted by the heirs and institutes in the substitution;

And whereas it is expedient to grant the prayer contained in the said petition;

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

Deed ratified.

Hypothecs ratified.

Authorization to sell.

Authorization to sell.

Proviso.

Coming into force.

1. The deed of partition and division of the estate of the late Eugène Crépeau, passed before F. X. Lemieux, notary, on the 19th December, 1914, is ratified and validated for all legal purposes, as are also the hypothecs given by the said deed of partition on the immoveables of the estate in favour of Dame Antoinette Côté, to secure and guarantee her monthly life-rent.

2. Dame Béatrice Crépeau is authorized to sell the immoveables coming to her under the said deed of partition, and, in the event of such sale, the proceeds thereof must be invested according to the provisions of articles 953a and following of the Civil Code.

3. Dame Beatrice Crepeau is authorized to sell the immoveables coming to her by the said deed of partition, provided the sum realized be paid and invested in accordance with the provisions of article 953a of the Civil Code, and the purchaser shall be relieved from the obligation of following the purchase price once for all from the moment it has been invested in accordance with paragraphs 3 and 4 of the said article 953a, or deposited in the hands of the prothonotary in accordance with paragraph 5 of the said article; and in the case of such sale the said Beatrice Crepeau shall be bound to furnish other equivalent immoveable or hypothecary security to the said Dame Antoinette Côté, to guarantee and secure her life rent.

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