

2. On the death, resignation or ceasing to act of said tutor Powers under
for any cause whatsoever, the tutor appointed in his place act revert to
shall have the same powers. present tutor's
successor.

3. This act shall come into force on the day of its sanc- Coming into
tion. force.

CHAP. 115

An Act relating to the estate of the Honorable Joseph-Octave Villeneuve

[Assented to 26th March, 1902]

WHEREAS Dame Susan Ann Walker, of the city of Preamble.
Montreal, in the district of Montreal, widow of the
Honorable Joseph-Octave Villeneuve, senator of Canada ;
Dame Rachel Villeneuve, wife of Alphonse Morin, prothono-
tary of the Superior Court for the district of Iberville, and
the said Morin a party to these presents to authorize his
wife ; Jacques Villeneuve, agent, of the city of Montreal ;
Eugene Villeneuve, accountant, of the same place, and Fred-
eric Villeneuve, advocate, of the city of Edmonton, in the
North West Territories, member of Parliament for St. Albert,
in the Legislature of the North West Territories, have prayed
for the passing of an act for the purposes hereinafter men-
tioned ;

Whereas it is expedient to pass an act to supplement the
testamentary provisions and to regulate the estate of the late
Honorable Joseph-Octave Villeneuve :

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

1. The testamentary executors of the said Joseph- Executors
Octave Villeneuve may, when they consider it more advan- may borrow
tageous than selling the property of the estate, borrow to pay debts,
money sufficient to pay the debts and legacies of the testa- &c.
tor, as well as the cost of the greater repairs, and the ex-
pense of making other properties yield returns.

2. The life rent payable to Dame Suzan Ann Walker is Mme Ville-
hereby fixed at the sum of three thousand, six hundred neuve's life
dollars, payable according to the terms of the will. rent.

Payment of
annual life
rent to chil-
dren.

3. There shall be paid to each of the four children of the testator, to wit: Jacques, Eugène, Frédéric and Rachel Villeneuve, during their lifetime, an annual life rent of fifteen hundred dollars if the revenues allow of the same, and if not, proportionately to the revenues of the current year.

Payment to
widows of
sons.

In the event of any one of the sons of the testator dying, one half of the said rent shall be payable to his widow during her lifetime or as long as she does not remarry.

Certain de-
ductions to
be made there-
from.

The following amounts shall be deducted from the said sum of fifteen hundred dollars, to wit: that of four hundred dollars per annum bequeathed to Rachel Villeneuve and that of eight hundred dollars per annum bequeathed to Frédéric Villeneuve, by the will.

Will creates a
trust.

4. The will is declared to constitute a trust.

Certain pay-
ments to be
provided for,
upon final
partition of
estate.

At the time of the partition which shall be made according to the will, the testamentary executors shall provide for the payment of the said rents in accordance with the provisions of the last paragraph of clause 5 of the will.

Remunera-
tion of execu-
tors.

5. The testamentary executors, other than Pierre Terreault, shall each receive, annually, for all remuneration and compensation, a sum of six hundred dollars.

Delay for cer-
tain liquida-
tion ex-
tended.

6. The delay for the liquidation of the partnership which existed between the testator and Leonidas Villeneuve is extended to five years, to be reckoned from the sanction of the present act.

Power of ex-
ecutors to sell
property of
estate.

7. The testamentary executors shall have power to sell the moveable and immoveable property of the estate, provided they invest the proceeds realized by the sale of the same, according to the dispositions of the said will and the law concerning trusts.

Powers as to
investment
of proceeds.

Life rent not
liable to sei-
zure.

8. The life rents created by the last will and by this act are declared inalienable and unseizable, and as bequeathed as alimony.

Certain costs
to be paid by
executors.

9. The testamentary executors shall pay the costs, disbursements and counsels' fees incurred in the passing of this act.

Coming into
force.

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