

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

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

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, prothonotary 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 Frederic 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 mentioned ;

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-Octave Villeneuve may, when they consider it more advantageous than selling the property of the estate, borrow money sufficient to pay the debts and legacies of the testator, as well as the cost of the greater repairs, and the expense of making other properties yield returns. Executors may borrow to pay debts, &c.

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

Payment of annual life rent to children.

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 deductions to be made therefrom.

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 payments 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.

Remuneration of executors.

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 certain liquidation extended.

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 executors to sell property of estate.

7. The testamentary executors shall have power to sell the moveable and immovable 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 seizure.

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.