

CAP. XIX.

An Act for the more advantageous disposal of property in the hands of Administrators.

[Assented to 1st February, 1870.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. In this act the word "administrator" means and includes any institute in whatever degree under a substitution, howsoever created, and any executor under any will, and any tutor or curator, having as such the possession or administration of property belonging to another, or held by him for the benefit of another, whether the will, instrument or *acte* constituting him such administrator have been made or have taken effect before or after the coming into force of this act.

Interpretation of the word "administrator."

2. Any administrator bound by law to invest moneys held by him as such administrator may invest the same in Dominion stock, and in the event of the said stock being paid off, he shall receive the principal and be bound to re-invest it in the same manner as he was bound to do before he invested it in Dominion stock.

Administrator bound to invest, may invest in Dominion stock.

3. Whenever the terms of the will, instrument or act constituting an administrator, give him power to invest moneys, and a full or restricted discretion as to the nature or manner of such investment, he shall be held to have the like power and discretion to change from time to time any such investment he may have made, by selling the property moveable or immoveable in which he had invested, and re-investing the proceeds as he might originally have done.

A discretionary power to invest implies the same power to change investment.

CAP. XX.

An Act further to amend chapter 27 of the consolidated statutes for Lower Canada, "respecting Masters and Servants in the country parts."

[Assented to 1st February, 1870.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Sections two and three of the said act, chapter twenty-seven of the consolidated statutes for Lower Canada, as amended by the act twenty-ninth and thirtieth Victoria,

Secs. 2, 3 of C. S. L. C. ch. 27 repealed.

chapter thirty-four, of the parliament of the late province of Canada, are hereby repealed, and the two following sections are substituted therefor :

Punishment of ill-behaviour on the part of any apprentice or servant.

**2.** Any apprentice or servant, or journeyman or laborer, bound by act of indenture or written contract or agreement or verbally, before one or more witnesses, for one month or for any longer or shorter period, who refuses or neglects to enter the service of his master, at the time agreed upon, or who is guilty of ill-behaviour, refractory conduct or idleness, or of deserting from his service, or duties, or of absenting himself by day or night, without leave from his said service, or from the house or residence of his employer, or who refuses or neglects to perform his just duties, or to obey the lawful commands which may be given him by his master or mistress, or who is guilty of dissipating his master's or mistress' property or effects, or of any unlawful act that may affect the interest of his master or mistress, shall be liable upon conviction, before any justice of the peace, to a penalty not exceeding twenty dollars, and in default of payment of the said penalty, with costs of suit, with or without delay, to be imprisoned in the common gaol of the district wherein he shall be tried, for a period not exceeding two calendar months, unless the said penalty and costs of suit, together with the costs of apprehension and conveyance of the said delinquent to the said common gaol, be sooner paid, or to be imprisoned in the said common gaol for a period not exceeding two calendar months ; or to be condemned for each such offence, to the said penalty and further to the said imprisonment hereinabove mentioned, with, in all cases, the costs of suit.

Punishment of servants deserting their work.

**3.** Any domestic, servant, journeyman or laborer, engaged by the month, or longer space of time, or by the piece or job, who deserts or abandons the service or job for which he was engaged, before the time agreed upon, shall, for each offence of such nature, be liable to like pains and penalties, as provided in the next preceding section.

In what districts prosecutions may be brought against persons hired to serve in the woods.

**4.** In every case of contravention against the two preceding sections, on the part of any servant or laborer engaged to work or serve in the woods and forests of this province, for the making of saw-logs or the manufacture of square or other commercial timber, or firewood of any kind, the contravening party may be prosecuted and convicted in every judicial district wherein he shall have contracted his engagement, or wherein he shall be apprehended, notwithstanding that the territory where the contravention shall have been committed, may happen to be beyond the limits of such district.

**5.** The acts hereby amended and the present act, shall be deemed to be but one and the same act, and may be cited under the short title of "The Masters and Servants' Act, 1870." Short title of this act and acts hereby amended.

## CAP. XXI.

An Act to extend the provisions of the act of the late province of Canada, passed in the twenty-ninth year of Her Majesty's reign, intituled : "An Act to secure to wives and children the benefit of assurances on the lives of their husbands and parents," and of the act of this province amending the same.

[Assented to 1st February, 1870.]

**WHEREAS**, by the act passed in the twenty-ninth year of Her Majesty's reign, for securing to wives and children the benefit of assurances on the lives of their husbands and parents, it is among other things provided that it shall be lawful for any person to insure his life for the benefit of his wife, or his wife and children, or for the benefit of his children only, and to apportion the same among such children, and it is thereby further provided that upon the death of the party assured, the insurance money shall be payable according to the terms of the policy; and whereas, it is expedient to extend the provisions of the said act and of the act of this province amending the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** In all cases where the party insured, under any policy, has directed, or shall hereafter direct, the insurance money, or any portion thereof, to be paid to his child or children, without naming any person to receive the same, on his or their behalf during his or their minority, it shall be competent to the assurance company granting such policy, to pay the amount due to such of the children as shall be minors, into the hands of the executor or executors of such insured person, whether such person shall have died before the passing of this act or not, who shall hold the same as trustees for such children, and the receipt of such executor or executors shall be sufficient discharge to the company.

**2.** If the said insured shall have died, or shall hereafter happen to die, intestate and without having appointed in writing any person to whom such payment may be made on behalf of such infants; the payment to tutor or tutrix, or tutor *ad hoc*, or to any trustee appointed by any instru-

Preamble.

Insurance money payable to a minor, may be paid in trust to executor of the insured.

If insured die intestate moneys payable to the minor may be paid instead to tutor, or to

