

SIXTH SESSION

THIRTY-FIRST LEGISLATURE

NATIONAL ASSEMBLY OF QUÉBEC

Bill 221

(PRIVATE)

An Act respecting the J. Donat Langelier estate

First reading
Second reading
Third reading



M. JEAN-FRANÇOIS BERTRAND

L'ÉDITEUR OFFICIEL DU QUÉBEC

1980

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(PRIVATE)

An Act respecting the J. Donat Langelier estate

WHEREAS J. Donat Langelier died on 27 June 1964 leaving an authentic will received on 16 August 1963 before Julien Roy, notary, and two codicils dated 21 January and 26 June 1964, respectively;

Whereas the testator essentially, among other provisions, created annuities in favour of his children, Françoise, Jeanne and Maurice, transferable upon their death to their children and grand-children, life annuities in favour of a certain number of nephews, nieces and employees and residual income legacies in favour of the following charitable organizations: Le Foyer de la Charité du Cardinal Léger, L'Association d'Entraide "Le Chaînon" and La Société St-Jean-Baptiste de Montréal;

Whereas the trustees and testamentary executors have received the power to apportion the property of the estate;

Whereas it is to the advantage of the parties concerned to proceed to the final apportionment of the capital of the estate, in accordance with the terms of an agreement concluded before Maurice Rousseau, a notary practising in Montréal, on the seventeenth day of October 1980, subject to the adoption of this bill, in order to end the suspended ownership of the capital of the estate and the perpetual undivided ownership resulting therefrom;

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

1. The trustees and testamentary executors of the estate of J. Donat Langelier have and always have had by the terms of his will made before Julien Roy, notary, on 16 August 1963, under

number 11285 of his minutes and his two codicils, that of 21 January 1964 registered in Montréal and bearing number 1783866 and that of 26 June 1964 registered in Montréal under number 1783865, the right to proceed to a final devolution and apportionment of the property forming the capital of the estate.

2. The apportionment and transfer in full ownership of the capital bequeathed by J. Donat Langelier shall be carried out in the following manner:

(a) the testamentary executors and trustees shall deduct first from the capital of the estate, an amount of one hundred and twenty thousand dollars sufficient to guarantee the life annuities of the annuitants, other than the children of the testator;

(b) that share of the capital is apportioned as and when it is released, within six months of the death of each of the individual legatees, in the same manner as the remainder of the capital, in accordance with the prescriptions enacted by this act;

(c) fifty per cent of the value of the remaining capital is remitted upon the sanction of this act, in equal shares to the following organizations: Le Foyer de la Charité du Cardinal Léger, L'Association d'Entraide "Le Chânon" and La Société St-Jean-Baptiste de Montréal, to be used for the purposes stated in the will or for the promotion of French in Québec, more specifically for the purpose of integrating immigrants into the French-speaking community;

(d) fifty per cent shall be remitted to the grandchildren of the testator in the following manner:

i. this share shall continue to be held in trust by the testamentary executors and trustees and their successors and the income derived therefrom shall be remitted to the children of the testator, Françoise, Jeanne and Maurice in equal shares while continuing to comply, *mutatis mutandis*, with the prescriptions of the will and, particularly, those concerning Jeanne Langelier;

ii. upon the death of each of the children of the testator, his share of the capital shall be remitted in full ownership to his child or children or, if there are no children, to his grandchildren by roots with accretion in favour of the two other children of the testator, if one of the three dies without children or grandchildren.

3. The mass of the estate shall discharge the costs, expenses and fees incurred for the adoption of this act, with the exception of taxes, whatever their nature and if any are to be collected, which shall be borne only by the children of the testator from the share of the mass that devolves on them.

- 4.** This act has effect from 1 Septembre 1980.
- 5.** This act comes into force on the day of its sanction.