

FOURTH SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 228

(PRIVATE)

An Act respecting the estate of Pierre Victor Rougier

First reading
Second reading
Third reading

M. GILBERT PAQUETTE



L'ÉDITEUR OFFICIEL DU QUÉBEC

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(PRIVATE)

An Act respecting the estate of Pierre Victor Rougier

WHEREAS by holograph will made in 1934, Pierre, *dit* Victor, Rougier, deceased 30 April 1946, entrusted his moveable and immoveable property to General Trust of Canada acting as fiduciary legatee, and also confirmed and ratified the gifts in trust made in 1932 and 1933;

Whereas he stipulated in those deeds that the yield from any excess or surplus in the hands of the fiduciary legatees shall be paid annually to the French-speaking Catholic hospitals of the City of Montreal, in accordance with the prescriptions of the board of directors of the compagnie Rougier Incorporée;

Whereas, since he died, the status of the establishments designated by him as French-speaking Catholic hospitals of the City of Montreal has changed considerably pursuant to the adoption of the Act respecting health services and social services, and medical research in the province, outside the city of Montreal, has developed greatly;

Whereas, furthermore, under a deed of gift made on 19 November 1931, the net yield of a capital sum amounting then to \$20,000, left in trust with General Trust of Canada must be paid to Hospice Saint-Germain-Lembron, Puy-de-Dôme, France, for the purposes mentioned therein, though such payments must not exceed annually 25 000 (former) French francs, the balance to be "paid into a special reserve account to guarantee the regular payment of an income, inasmuch as it is possible" [translation];

Whereas, since the revaluation of the French franc, the annual payment to that hospice is 250 new French francs, that is some \$60, while the capital amount of the gift made on 19 November 1931 now amounting to about \$30,000 yields more than \$2 000 annually;

Whereas the cumulative excess yield from the gift made on 19 November 1931, deposited into a special reserve account, amounts presently, with its own yield and surplus, to some \$50 000 which, without the adoption of this act, would continue to accrue without effectively being of any use;

Whereas the clause of one of the deeds of gift made on 19 December 1933 meant to complete, if necessary, out of the yield of the gift, for the benefit of Hospice Saint-Germain-Lembron, the annual payment under the terms of the gift of 19 November 1931, so as to reach a fixed annual amount of 25,000 (former) French francs, has, in practice, become of no avail;

Therefore, Her Majesty, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1. Notwithstanding the gifts in trust of Pierre, *dit* Victor, Rougier, made on 31 December 1932 and 19 December 1933, and registered in the office of the registration division of Montreal under numbers 345394, 323844 and 345537, and notwithstanding his holograph will of 28 April 1934, the yield, future or undistributed, intended for the French-speaking Catholic hospitals of the City of Montreal shall be paid by the fiduciary to a medicine faculty of any French-speaking university in the province or to a French-speaking non-profit corporation engaged in the field of health in the province, on the same terms and conditions.

2. Notwithstanding the deed of gift of Pierre, *dit* Victor, Rougier, made on 19 Novembre 1931 and registered in the registry office of Montreal under number 344781, the future payments of the capital amount of the gift, less the fees of the fiduciary, shall be paid by the fiduciary to Hospice Saint-Germain-Lembron for the same purposes and on the same terms and conditions.

But the yield accrued from the capital amount of the gift, deposited into a special reserve account, including their own yield and surplus, must be capitalized and the new capital amount, after payment of the costs incurred for the adoption of this act, accrue to the capital amount of the residuary legacy made by Pierre, *dit* Victor, Rougier, under the terms of his holograph will of 28 avril 1934, and shall be administered by the fiduciary in conformity with section 1 of this act.

3. Every provision for the benefit of Hospice Saint-Germain-Lembron, found in the deed of gift made on 19 December 1933, registered in the office of the registration division of Montreal under number 345394, is repealed.

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