



CHAPTER 169

An Act respecting the estates of the late Mathilda Hatt,
the late Dame Marie Amélie Elisabeth Hatt,
and the late Louis Joseph Dezery Beaudry

[Assented to, the 11th of April, 1935]

WHEREAS de Salaberry Beaudry, Jr., electrician, Preamble.

Mariette Beaudry, spinster, Françoise Beaudry, spinster, Nathalie Beaudry, spinster, all of the city and district of Montreal, and all children born of the marriage of de Salaberry Beaudry, Senior, with the late Bernadette Chapdelaine; Jean Aubert Loranger, journalist, of the town of Montreal West, district of Montreal, Zélie Loranger, spinster, of the city and district of Montreal, both children born of the marriage of Dame Lucie Beaudry and the late J. Thomas Loranger; Fleurette Beaudry, spinster, Lucie Beaudry, spinster, Lillianne Beaudry, minor, Hennessey Beaudry, minor, Bernard Beaudry, minor, Pierre Beaudry, minor, the said four minors being represented by their tutor, Louis Armand Dezery Beaudry, their father, and their subrogate tutor, de Salaberry Beaudry, all of the city and district of Montreal, and all children of the marriage of Louis Armand Dezery Beaudry with Dame Blanche Hennessey; all in their capacity of substitutes under the wills of the late Mathilda Hatt, the late Dame Marie Amélie Elisabeth Hatt and the late Louis Joseph Dezery Beaudry, have, by their petition, represented:

That, by her will dated the 22nd of October, 1913, passed before P. C. Lacasse, notary, the said Mathilda Hatt left the residue of her estate to Dame Marie Amélie Elisabeth Hatt, wife of Louis Joseph Dezery Beaudry, and to the said Louis Joseph Dezery Beaudry jointly, and to the survivor of them as institutes, with substitution in favour of their children and grandchildren, the grandchildren to take

by roots and in the order of legitimate succession, and that The Royal Trust Company, a body politic, having its head office in the city of Montreal, is now executor under the said will;

That, by her will dated the 29th of August, 1913, passed before P. C. Lacasse, notary, the said Dame Marie Amélie Elisabeth Hatt left the residue of her estate to her husband, the said Louis Joseph Dezery Beaudry as institute, with substitution in favour of her children and grandchildren, the grandchildren to take by roots and in the order of legitimate succession, and that The Royal Trust Company is now executor under the said will;

That, by his will dated the 29th of August, 1913, passed before P. C. Lacasse, notary, and a codicil thereto dated the 13th of April, 1921, passed before A. Rouleau, notary, the said Louis Joseph Dezery Beaudry left the residue of his estate to his wife, the said Dame Marie Amélie Elisabeth Hatt, (who predeceased him), with substitution in favour of his children and grandchildren, the grandchildren to take by roots and in the order of legitimate succession, and that The Royal Trust Company is now executor under the said will;

That the said Mathilda Hatt died on the 22nd of September, 1915; that the said Dame Marie Amélie Elisabeth Hatt died on the 2nd of February, 1921; and that the said Louis Joseph Dezery Beaudry died on the 21st of June, 1923;

That, of the marriage of Louis Joseph Dezery Beaudry and Dame Marie Amélie Elisabeth Hatt, were born three children, namely: de Salaberry Beaudry, civil engineer, of the city of Outremont; Dame Lucie Beaudry, of the city of Montreal, widow of the late J. Thomas Loranger, in his lifetime of the same place, doctor of medicine; and Louis Armand Dezery Beaudry, commercial traveller, of the city of Montreal, who are now the institutes of the substitutions created under the three aforementioned wills; that the said three institutes have by notarial deed renounced all their rights as institutes, such renunciation being, however, conditional upon this act being passed;

That the above-mentioned petitioners are all the grandchildren of the three testators above mentioned, and in view of the renunciation by the said institutes, are the sole persons interested in the said substitutions;

That, in the estate of the said Louis Joseph Dezery Beaudry, The Royal Trust Company, as executor, has distributed to the said petitioners the entire capital of the estate upon receiving satisfactory indemnities against claims by unborn substitutes;

That the capital of the estates Mathilda Hatt and Dame Marie Amélie Elisabeth Hatt is of a small amount and the net annual income is totally insufficient to support the said petitioners and the institutes, all of whom are in dire need and incapable of earning enough to support themselves;

That the possibility of the number of substitutes in any branch being increased is remote, but, owing to this possibility The Royal Trust Company, as executor of the said two last mentioned estates, cannot, without the passing of a special act, distribute the capital of the substituted property to the said petitioners; and

Whereas it is expedient to pass an act for such purpose;

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

1. The distribution of the capital of the substituted property in the estate of the late Louis Joseph Dezery Beaudry already made by The Royal Trust Company, as executor of the said estate, to the said petitioners, is hereby ratified and confirmed and declared to be legal and binding upon the said petitioners and upon any substitutes who may later be born, and it is expressly provided that any such unborn substitute shall have no claim in respect of the said distribution against said The Royal Trust Company, saving the rights of any such substitute against the said petitioners.

Validation
of distribu-
tion of cer-
tain capital
of Beaudry
Estate.

2. The Royal Trust Company, as executor of the estates of the late Mathilda Hatt and the late Dame Marie Amélie Elisabeth Hatt, is authorized to pay to the said petitioners their respective shares of the capital of the substituted property in the estates of Mathilda Hatt and Dame Marie Amélie Elisabeth Hatt, and the payments so authorized shall be binding upon the said petitioners and upon any substitutes who may later be born, and it is expressly provided that any such unborn substitute shall have no claim in respect of such payments against said The Royal Trust Company, saving the rights of any such substitute against the said petitioners.

Payment of
certain
capital of
Hatt
Estates au-
thorized.

3. The costs, disbursements and fees incurred for the passing of this act shall be paid from the capital of the substituted property in the said two last-mentioned estates, and The Royal Trust Company is authorized to make payment accordingly.

Costs of act.

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

Coming into
force.