



CHAPTER 169

An Act respecting the estate of the late Pierre Tétreault

[Assented to, the 29th of March, 1933]

WHEREAS Messrs. Joseph Louis Arthur Tétreault, Preamble.
doctor, of the city of Outremont, district of Montreal; Georges Tétreault, gentleman, of the parish of Lanoraie, district of Joliette; Edward Tétreault, farmer, of the town of Montreal North, district of Montreal, in their capacity of sole testamentary and fiduciary executors of the properties comprising the estate of the late Pierre Tétreault, in his lifetime, gentleman, of the city of Montreal, district of Montreal, have, by their petition, represented:

That they are the sole testamentary and fiduciary executors of the estate of the late Pierre Tétreault;

That the said Pierre Tétreault died in the city of Montreal, district of Montreal, on or about the 13th of May, 1922, and without having changed, revoked or modified his last will received before Mtre. J. L. I. Ducharme, notary and colleague, on the 17th of March, 1916, under No. 1467 of his repertory;

That, under the said will, Pierre Tétreault appointed his four sons, J. L. A. Tétreault, Pierre Tétreault, Jr., Georges Tétreault and Edward Tétreault, his universal legatees in equal shares, with the obligation upon them to apply twenty-five per cent of the net revenues of the said estate to pay to his four daughters, Azilda, Marie Louise, Oliva and Irène Tétreault, during their lifetime, a life rent payable quarterly in accordance with the revenues produced by the net assets of the said estate, provided that the said rent would not exceed for each of them the sum of two hundred dollars per month, with the stipulation that in case of the death of one or other of the said daughters

with descendants, the child or children of such daughter or daughters receive the said rent until they reach the age of majority when such child may claim from the said estate the proportion of the capital representing the amount of the rent then paid to him;

That, under the same will, Pierre Tétreault, Sr., appointed his four sons, the petitioners, as well as Pierre Tétreault, Jr., his testamentary and fiduciary executors, extending their duties and powers beyond the year and a day fixed by law, and until the complete carrying out of his will, with the fullest powers to manage and administer his properties, sell all or part of the properties, moveable and immovable, without any formality of law, and without the consent of the other legatees of life rent, on the prices, charges, terms and conditions that the said testamentary executors and administrators would deem acceptable, always acting in the interest of the estate;

That, on the death of Pierre Tétreault, Sr., the assets of the estate were composed chiefly of mining claims situated at Montauban-les-Mines, in the county of Portneuf, Province of Quebec, and numerous vacant lots situated in the city and district of Montreal;

That, in spite of the considerable liabilities of the said estate, the testamentary and fiduciary executors have succeeded in discharging all the debts and annual fixed charges, ordinary and special, affecting the said immovables;

That they are now unable to continue to maintain the assets of the estate without recourse to a loan or loans, according to the course of events, a step that they are very regretfully prepared to take, but the persons, firms or corporations willing to enter into negotiations with the executors, while recognizing the justice of their request and the necessity to make advances, fear, on account of an express provision in this respect, to contravene the stipulations of the will, and to find themselves in an irregular situation;

That, under present circumstances, it is impossible for the testamentary executors to dispose, except at prices less than the real value, of any part whatsoever of the assets of the estate;

That it is therefore necessary to specify, define and increase the powers of the testamentary and fiduciary executors; and

Whereas it is expedient to grant the request contained in the said petition;

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

1. The present testamentary and fiduciary executors of the said estate, and their successors in office, in addition to the powers given under the will, may borrow, with such hypothecary guarantee or otherwise, as they may deem suitable, a sum of fifteen thousand dollars per annum during two consecutive years, in order to meet the charges on the estate and to pay the costs of the steps to be taken for conserving and maintaining the properties and the mines.

Additional powers of testamentary and fiduciary executors.

2. The estate shall pay the costs, fees and disbursements incurred by the testamentary executors and by the creditors of the rent in connection with the passing of this act, and the testamentary executors shall impute the amount thereof to the capital of the estate.

Payment of costs.

3. Nothing in this act shall be interpreted as amending the respective rights acquired by the sons and by the daughters of Pierre Tétreault, Sr., or their children, with respect to their share in the property devolving to them under the provisions of the will of the said Pierre Tétreault.

Rights safeguarded.

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

Coming into force.
