

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1992, chapter 83

AN ACT RESPECTING CERTAIN TRUSTS CREATED FOR THE BENEFIT OF MARIAN WEBSTER TAYLOR

Bill 208

Introduced by Mr Russell Williams, Member for Nelligan

Introduced 12 May 1992

Passage in principle 21 December 1992

Passage 21 December 1992

Assented to 22 December 1992

Coming into force: 22 December 1992

Act amended: None





CHAPTER 83

An Act respecting certain trusts created for the benefit of Marian Webster Taylor

[Assented to 22 December 1992]

Preamble

WHEREAS by three deeds of donation made before Robert H. Barron, notary, on 28 February 1930, 23 December 1936 and 31 December 1937 and registered at the registry office for the registration division of Montréal under numbers 241 776, 405 453 and 425 823 the Honourable Lorne Campbell Webster created trusts for the benefit of his daughter Marian Isabel Webster (now called Marian Webster Taylor) and her lawful issue and, whereas, by a fourth deed of donation made before the said notary on 13 May 1930 and registered at the registry office for the said registration division under number 250 260 Colin Wesley Webster created a trust for his sister the said Marian Isabel Webster and her lawful issue;

Whereas the terms of the trusts created by the four deeds of donation are substantially the same and provide that (a) during the lifetime of Marian Webster Taylor the trustees are to pay to her the net revenues of the trust property, in whole or in part, or in their discretion accumulate the same, and also in their discretion to pay to her or use for her benefit capital of the trust property and (b) upon the death of Marian Webster Taylor whatever portion of the trust property may remain in the hands of the trustees is to become the property of her lawful issue in equal proportions by roots and may be paid to them when they have attained thirty-five years of age;

Whereas Marian Webster Taylor's personal property and income are sufficient to preclude her from ever requiring any further benefits under the trusts;

Whereas Marian Webster Taylor has renounced all her rights to the revenues and capital under the trusts by a deed which was passed

before David Whitney, notary, on 15 April 1992 and recorded in the minutes of the said notary under number 22808;

Whereas Marian Webster Taylor's issue in the first degree who are entitled to the capital of the trusts are her five children who are all living and over thirty-five years of age, namely Howard Webster Taylor, Muriel Ann Collombin, Sherrill Taylor Eaton, Anthony John Taylor and Jane Elizabeth Taylor;

Whereas Marian Webster Taylor's said issue are in such a position that the distribution of the capital of the trusts would be of considerable benefit to them and it is in their interest that such distribution be made without delay;

Whereas it is unclear from the terms of the trusts whether upon Marian Webster Taylor's renunciation of all her rights under the trusts the capital thereof can be distributed to her issue who are over thirty-five years of age;

Whereas all the interested persons of full age consent to the passing of this Act;

Whereas a curatrix to the minor grandchildren has been appointed and she has been authorized, by judgment, to consent to the passing of this Act (No. 500-14-001473-925 of the records of the Superior Court for the district of Montréal);

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Authoriza-
tion

1. Notwithstanding the terms of the trusts created for the benefit of Marian Webster Taylor by four deeds of donation which were passed before Robert H. Barron, notary, on 28 February 1930, 13 May 1930, 23 December 1936 and 31 December 1937 and registered at the registry office for the registration division of Montréal under numbers 241 776, 250 260, 405 453 and 425 823 the trustees are authorized to distribute the capital of the trusts to Marian Webster Taylor's five children, namely, Howard Webster Taylor, Muriel Ann Collombin, Sherrill Taylor Eaton, Anthony John Taylor and Jane Elizabeth Taylor upon the coming into force of this Act.

Coming into
force

2. This Act comes into force on 22 December 1992.