



CHAPTER 136

An Act respecting the Estate of the late Lawrence A. Wilson

[Assented to, the 17th of May, 1940]

WHEREAS Gladys Wilson, of the city of West-^{Preamble.}mount, in the district of Montreal, has by her petition represented:

That by his will executed before Dakers Cameron, notary public, at Montreal, on the 10th of November, 1933, the late Lawrence A. Wilson, in his lifetime Senator, and residing in the city and district of Montreal, bequeathed in trust to his executors his entire estate with power to act beyond the year and day, constituting the petitioner one of his universal residuary legatees of the capital of his estate, which is, however, to be retained in the hands of the executors during the lifetime of the said children, the share of each at his or her death to belong to his or her lawful issue, and in the event of one of his residuary legatees dying without leaving surviving issue the share of the said deceased to belong to the surviving children and/or to the issue of any predeceased child;

That, by his said will, the testator further provided that the petitioner Gladys Wilson shall be entitled during the period from and after his death and until she attains the age of fifty years to receive from the executors the sum of \$10,000.00 per annum out of the revenues of her share in the residue of the estate; the balance of revenues during the period from the date of his death until she attains the age of fifty years, to be accumulated and be added to and form part of the capital of her share, and the whole revenues to be paid to her after she attains the age of fifty years;

That the revenues of the share of the petitioner in the estate of her late father have been as high as three times the annual amount paid to her, and at the present time more than twice the said amount, and will increase considerably in the future as the life rents and annuities provided for in the said will in favour of other parties are paid off and as the interest rate on monies invested increases ;

That, at the time when the testator made his will, the petitioner was to his knowledge in receipt of certain revenues from her own investments, which have since considerably decreased owing to the fall in interest rates and to the depreciation of her investments, so that her revenues at the present time are not sufficient to meet her obligations ;

That, at the time when the testator made his will, he did not contemplate leaving such a considerable estate as he has left, as he had declared, both publicly and privately, that after providing for his children in his will, which provision added to the capital which they each already had personally would meet their requirements in life, it was his intention of distributing the balance of his fortune during his lifetime ;

That the testator, having died within four months of making his said last will and testament, had neither the time nor opportunity of distributing the bulk of his fortune as planned ;

That the distribution of his fortune foreseen by the testator did not arise, and the yearly surplus of revenues on the share of each child and of the petitioner in particular is much more than must have been anticipated by him ;

That, in view of the said circumstances, it is equitable that the sum of \$10,000.00 per annum payable to the petitioner be increased and that she be entitled to receive the total revenues of her share, although she has not yet attained the age of fifty years ;

Whereas the petitioner, on or about the 4th of April, 1928, before Mtre. J. H. H. Lippé, made a donation *inter vivos* to The Royal Trust Company, as trustee, of a sum of one hundred and fifty thousand dollars in capital only, for the benefit of her two children Charles Wilson Lacaille and Isobel Josette Lacaille ; and whereas it is expedient to rescind the said donation to the extent of one hundred thousand dollars, in the event of the

Legislature not deeming it advisable to modify the will of the late Lawrence C. Wilson.;

Whereas the petitioner has prayed for the passing of an act for the above purposes and it is expedient to grant the said prayer;

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

1. The Royal Trust Company, trustee of a donation ^{Donation} *inter vivos* made on the 4th day of April, 1928, before ^{*inter vivos*} Mtre. J. H. H. Lippé, under number 5859 of his ^{rescinded} minutes, under which Dame Gladys Wilson gave to the said The Royal Trust Company, for the benefit of her two children Charles Wilson Lacaille and Isobel Josette Lacaille, a sum of one hundred and fifty thousand dollars in capital only, must remit and retrocede to the petitioner-donor a sum of one hundred thousand dollars payable upon her demand, by annual instalments not exceeding twenty thousand dollars.

2. The costs, disbursements and fees incurred for ^{Costs.} the passing of this act shall be charged to the capitalized share of Gladys Wilson and the said trustees and executors are hereby authorized to make payment thereof.

3. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}

