



CHAPTER 103

An Act respecting the Estate of the late James McCready

[Assented to, the 27th of March, 1941]

WHEREAS, by their petition, Stella Frances Mc- Preamble.

Cready Langan, unmarried, of the full age of majority, Kathleen Gladys Dolan, unmarried, of the full age of majority, nieces of the late James McCready and beneficiaries under his will; William Mulligan, Leonard Mulligan, Wilbert Stuart, Redmond Langan, all gentlemen of the full age of majority; Dame Mary Leonard, widow of the late Frederick Francis Langan, in her capacity as tutrix to her minor children, George Langan, aged twenty at the signing of the petition and now of the age of majority, Margaret Langan, aged eighteen, Frederick and Edward Langan, twins, aged sixteen, being seven grandnephews and one grand-niece of the late James McCready, have represented:

That the late James McCready, of the city of Montreal, died in 1890 leaving a last will and testament executed before W. Fahey, and colleague, notaries, dated the 21st day of July, 1890;

That, by the terms of his said will, his estate devolves after the death of the last of the children of his sisters named in the said last will;

That the sole surviving children of the sisters of the late James McCready are Dame Stella Frances McCready Langan, unmarried, and Dame Kathleen Gladys Dolan, unmarried, alimentary beneficiaries for life thereunder, and who are parties to the said petition;

That by the acts 5 George V, chapter 161, 21 George V, chapter 182, and 1 Edward VIII, chapter 24, the trustees and executors of the estate of the late James McCready were directed to make annual payments

for the alimentary support of the grandnephews and grandnieces of the testator, and to increase the annuities stipulated in the said last will of the late James McCready;

That the grandnephews and grandnieces of the said late James McCready by the terms of his will are his universal legatees who receive all of the said estate upon the death of the last of the children of his sisters;

That more than fifty years have elapsed since the death of the testator, and the majority of the grandnephews and grandnieces of the testator are now over twenty-one years of age;

That the value of the estate according to the last statement of the trustees is one million three hundred thousand odd dollars, more than three times the value of the estate at the time of the decease of the testator, and the trustees and executors by 1 George VI, chapter 153, have had their remuneration increased to two thousand dollars each per annum;

That it is expedient to increase the yearly payments to the grandnephews and the grandniece of the said testator;

Whereas the said petitioners have prayed for an act to give effect to the foregoing; and

Whereas it is expedient to grant their prayer;

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

Payment of
life-rents
authorized.

1. The trustees and executors of the said late James McCready shall continue to pay monthly, as and from the 1st day of January, 1941, a life-rent of five hundred dollars per annum to Dame Mary Ann Conway, and a life-rent of five thousand dollars per annum each to dames Stella Frances McCready Langan and Kathleen Gladys Dolan, which shall represent the entire amount that each is to draw from the estate.

Assignments
confirmed.

Included in the life-rent of five thousand dollars (\$5,000.00) to Dame Stella Frances McCready Langan is the portion of the annuity of \$2,000.00 inherited by her under said will, but not included therein are the portions acquired by her by accretion from her brothers and sister and heretofore assigned by her to the children of her brother, Frederick Francis Langan, and her sister, Helena Langan Stuart, par souche, to the extent of one-third of said \$2,000.00 to each branch, which said assignments are approved and confirmed, and which portions

the said trustees and testamentary executors shall continue to pay monthly to the said children or their representatives, and all payments thereof heretofore made are hereby ratified and confirmed.

2. From the first day of January, 1941, providing that at all times the revenues of the said estate, after the payment of all expenses, permit the same, the trustees and executors shall pay to each of the grand-nephews and grand-niece of the testator the sum of \$3,000.00 per annum, in equal monthly instalments; and, within three months from the end of each calendar year, they shall distribute to them in equal shares the entire net balance of the revenues for each year, but after having deducted, however, a sum equivalent to ten per cent of the net revenue for the year, which they shall retain as a reserve and in order to meet any eventuality which may arise.

Disposition of
revenue.

3. The life-rents, annuities and allowances above determined shall replace all the payments enuring to the benefit of the said beneficiaries whether under the said will or under any legislation already existing.

Rents,
annuities and
allowances
replace
certain
payments.

4. The provisions of the acts 5 George V, chapter 161; 7 George V, chapter 127; 21 George V, chapter 182, and 1 Edward VIII, chapter 24, are repealed, but without prejudice to payments made thereunder.

5 Geo. V, c.
161; 7 Geo. V.
c. 127; 21
Geo. V, c.
182; 1 Ed.
VIII, c. 24,
repealed.

5. The expenses, costs and legal fees of obtaining this legislation, as well as those of the attorneys for the trustees and executors, shall be paid by the trustees and executors of the said estate of the late James McCready out of and charged to the undivided mass of the said estate.

Costs, etc.

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

Coming
into force.

