



## CHAPTER 24

An Act respecting the estate of the late James McCready

[Assented to, the 10th of June, 1936]

**W**HEREAS, by the act 5 George V, chapter 161 (1915), <sup>Preamble.</sup> the executors of the will of the late James McCready were directed to pay to each grand-nephew and grand-niece then alive during his or her lifetime from the 1st of January, 1915, and to pay to any grand-nephews and grand-nieces who might be born thereafter from date of birth and to their tutors during their minority, an alimentary allowance of three hundred dollars per annum;

Whereas at the time of the passing of the said act, 5 George V, chapter 161 (1915), the value of the capital of the said estate was four hundred and thirty-three thousand four hundred and eighteen dollars and thirty-five cents;

Whereas in the year 1930 the cost of living had increased so enormously that the said act 5 George V, chapter 161, was amended by the act 21 George V, chapter 182, increasing the said alimentary allowance from the sum of three hundred dollars per annum to a sum of nine hundred dollars per annum;

Whereas both of the said acts established and recognized the principle that each of the residuary legatees should receive equal treatment in so far as their alimentary support and educational cost were concerned;

Whereas at the time of the enactment of the act 21 George V, chapter 182 (1930), there were in all, and still are, eight grand-nephews and grand-nieces of the testator, alive and receiving the said alimentary and educational allowance;

Whereas accretion takes place in favour of the survivor or survivors of the said grand-nephews and grand-nieces at the time the estate devolves;

Whereas by the terms of the will of the late James McCready, the estate devolves after the death of the last of the children of the sisters of the late James McCready;

Whereas the sole survivors of the sisters of the late James McCready are Dame Stella Frances McCready Langan and Dame Kathleen Gladys Dolan, beneficiaries thereunder, and who consent to the present legislation;

Whereas there is a great difference in the ages of the residuary legatees, hence a great difference in the expectancy of life and participation in the final distribution of the estate;

Whereas some of the residuary legatees have received an alimentary allowance from the date of birth and others have not;

Whereas all of the residuary legatees and beneficiaries under the said last will and testament of the late James McCready have agreed to equalize the position among themselves by asking that the alimentary allowance be made retroactive to the date of birth;

Whereas the capital of the estate has been increased from four hundred and thirty-three thousand four hundred and eighteen dollars and thirty-five cents to one million three hundred and fifty-one thousand four hundred and sixty-seven dollars and sixty-eight cents, not only by judicious investments but by the addition to capital account of moneys that could well have been distributed to the needy residuary legatees, and

Whereas it is expedient that an act be passed to rectify the positions between the residuary legatees and to increase their present alimentary allowance;

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

Procedure  
by adminis-  
trators of  
McCready  
Estate.

1. The testamentary executors and administrators of the estate of the late James McCready shall:

a. Calculate and pay, without interest, to all of the heirs and universal legatees of the estate of the said late James McCready, who have not received the same, from date of birth to the age of six, the sum of three hundred dollars per annum and deduct the same from the share the said universal legatee may receive upon the final distribution of the estate;

b. Calculate and pay, without interest, to all of the heirs and universal legatees of the said estate of the late James McCready, who have not already received the same, from the age of six to the 31st of December, 1935, the sum of nine hundred dollars per annum, and deduct the same from the share the said universal legatee may receive upon the final distribution of the estate;

c. Increase the allowance for education and alimentary support so long as the revenue of the estate will permit from the sum of nine hundred dollars per annum to the sum of eighteen hundred dollars per annum as and from the 1st of January, 1936, and deduct the same from the share the said universal legatee may receive upon the final distribution of the estate;

d. Increase by six hundred dollars per annum the annual alimentary allowance now payable to Miss Kathleen Gladys Dolan, daughter of James J. Dolan and of the late Dame Elizabeth Geraldine McCready (one of the sisters of the late James McCready);

e. Increase by six hundred dollars per annum the allowance paid under paragraph c of section 1 of the act 21 George V, chapter 182 (1930), to Miss Stella Frances McCready Langan;

f. Charge the legal and other expenses of obtaining this legislation and relief to the mass of the estate, including the costs incurred by the executors in being represented before the Legislature respecting this Act.

**2.** This act shall come into force on the day of its sanction. Coming into force.

