

paid, and the interest thereon, calculated at five per cent per annum, shall be charged to the share of the inheritance of each legatee, and shall be deducted from such share, when the partition of the property of the estate is made.

3. The estate shall pay the costs and disbursements Costs of this act. incurred for the passing of this act.

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

CHAP. 161

An Act respecting the succession of the late James McCready.

[Assented to 5th March, 1915]

WHEREAS Dame Margaret McCready, widow of the Preamble.

late Francis Langan, in his lifetime of the city and district of Montreal, appraiser, George Thomas Langan, Frederick Francis Langan, Stella Frances McCready Langan, Dame Helena Mary Bridget Langan, wife separate as to property of Robert Bertie Stuart, of the city and district of Montreal, commercial traveller, (children of the said dame Margaret McCready), and the said Robert Bertie Stuart for the purpose of authorizing his wife and acting in his capacity of tutor to their minor children, and Dame Catherine Charlotte McCready, widow of William Mulligan, in his lifetime of the city and district of Montreal, private secretary, acting in her capacity as tutrix to the minor children issue of her marriage with the said late William Mulligan, and Miss Kathleen Gladys Dolan, spinster, and Dame Mary McCready, widow of James McGill, in his lifetime of the city and district of Montreal, contractor, have by their petition represented:

That by his will made at Montreal, before William Fahey and Adolphe LaBadie, notaries public, on July 21st, 1890, the said late James McCready, after making certain particular legacies, bequeathed in trust to his three executors therein named his entire estate, moveable and immoveable, real and personal, with power to act beyond the year and day, and to appoint successors to themselves;

That the said trust was created in favour of the grand-nephews and grand-nieces of the testator, who are alive

at the time of the death of the last of the children of Dame Margaret McCready, widow of the late Francis Langan, Dame Mary McCready, widow of the late James McGill, and Dame Elizabeth Geraldine McCready, wife of James J. Dolan, all of the city and district of Montreal, being the three sisters of the said testator, constituting the said grand-nephews and grand-nieces, his universal legatees, share and share alike;

That by his said will, the testator bequeathed to his said sisters, Dame Margaret McCready, widow of Francis Langan, Dame Mary McCready, widow of James McGill, and Dame Elizabeth Geraldine McCready, wife of James J. Dolan, all of the city and district of Montreal, during their natural lifetime, the sum of two thousand dollars per annum to each one of the said sisters, and after the death of each of the said sisters, the said annual alimentary support of two thousand dollars to pass to the children of such deceased sister, *par souche*, to each family, to be divided, share and share alike, among the members of each said family, during their lifetime, accretion to take place among the survivors or to the survivor of the same family;

That the said James McCready died on the 8th October, 1890;

That at the time of his death his estate was worth approximately four hundred thousand dollars, as appears by the act 54 Victoria, chapter 101;

That since the date of his death, up to the present time, the said estate and the business thereof has prospered greatly, and the revenues of the succession have increased considerably;

That Dame Elizabeth Geraldine McCready, wife of James J. Dolan (one of the sisters of the testator) died on the 30th day of March, 1897, and her alimentary support of two thousand dollars per annum passed, under the terms and conditions of the will, to her only daughter Miss Kathleen Gladys Dolan, who is at present receiving it, and the said alimentary support is at present sufficient for her needs;

That Dame Mary McCready, widow of the late James McGill, contractor, (a sister of the testator) is without issue, and the said alimentary support of two thousand dollars per annum is at present sufficient for her needs;

That Dame Margaret McCready, widow of the late Francis Langan, (the third sister of the testator), has had issue of her marriage with the said late Francis Langan, four children, to wit:—Stella Frances McCready Langan, Frederick Francis Langan, George Thomas Langan, and

Dame Helena Mary Bridget Langan, wife separate as to property of Robert Bertie Stuart;

That three of the said children, Stella Frances McCready Langan, Frederick Francis Langan, and George Thomas Langan, are dependent upon her for their maintenance and support, the latter owing to an accident in which he lost his right hand;

That the said annual alimentary support of two thousand dollars is not sufficient to support the said Dame Margaret McCready and her said children in that comfort which it was the intention of the testator that they should enjoy;

That Dame Helena Mary Bridget Langan, wife separate as to property of Robert Bertie Stuart, a daughter of the said Dame Margaret McCready, has one child, the issue of her marriage with the said Robert Bertie Stuart, which child is a grand-nephew of the testator, and one of the universal legatees under the will, and the said Dame Helena Mary Bridget Langan and her husband Robert Bertie Stuart are unable to afford the said child that education which is demanded by the position it will eventually occupy;

That Dame Catherine Charlotte McCready, widow of the late William Mulligan, and daughter of the brother of the testator, has two children, issue of her marriage with the said William Mulligan, which said children are the grand-nephews of the said testator, and universal legatees under the will, and the said Dame Catherine Charlotte McCready is unable to afford the said children that education which is demanded by the position they will eventually occupy;

That the brother and sisters of the testator, with the exception of Dame Margaret McCready, and Dame Mary McCready, (both of whom are widows of over sixty years of age) are deceased;

That there are at present alive only four grand-nephews and grand-nieces of the testator;

That the revenues of the succession of the said late James McCready allow of the testamentary executors increasing by one thousand dollars the annual alimentary support of Dame Margaret McCready, widow of the late Francis Langan, and to grant to the universal legatees that are at present born, and to those who may in future be born, the sum of three hundred dollars each per annum to aid in educating them for the position they will eventually occupy;

That the said testamentary executors are of the opinion that such increase in the annual alimentary support of Dame Margaret McCready, and the granting of the allow-

ance of three hundred dollars a year to the universal legatees born and to be born, for the purpose of their education and support, is fair and reasonable under the circumstances, and that the revenues of the said estate are ample and sufficient to make such increase and allowance, and to make provision for the allowance to the future children, without in any way touching the capital of the said estate, and that they have no objection thereto, and consider themselves justified under the circumstances in recommending that the legislature grant such relief;

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:

Executors to make certain payments.

1. From the 1st of January, 1915, providing that at all times the revenues of the estate after the payment of all expenses permit the same, the executors shall:

a. Increase by one thousand dollars the annual alimentary support now payable to the said Dame Margaret McCready, widow of the late Francis Langan, under the will of the said late James McCready, passed before the said William Fahey and Ado'phe LaBadie, notaries public, on the 21st day of July, 1890;

b. Pay during life to each grand-nephew and grand-niece at present alive from 1st January, 1915, and pay to any grand-nephews and grand-nieces who may in the future be born, from the date of birth, or to their tutors during minority, an annual alimentary support of three hundred dollars to aid in their education for the position they will eventually occupy;

Costs of this act.

c. Charge the legal and other expenses of obtaining this legislation and relief to the mass of the estate.

Certain amount to be treated as an advance.

2. The amount of the increase in the alimentary support payable to Dame Margaret McCready, widow of the late Francis Langan, under the terms of this act, shall be charged to those of her descendants who may participate in the final partition of the succession, and the payments to each grand-nephew and grand-niece of the testator under the authority of this act are to be treated as an advance on account of their shares.

To be charged to the mass in certain case.

3. In the event of none of the descendants of Dame Margaret McCready, widow of the late Francis Langan, participating in the final division of the estate, or of any grand-nephew or grand-niece to whom a payment is made under the authority of this act, failing to participate

in the final distribution, the amounts so paid shall be chargeable to the mass.

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

CHAP. 162

An Act to authorize Edmond Beaudoin, *es-qualité*, to sell certain immoveables.

[Assented to 5th March, 1915]

WHEREAS Edmond Beaudoin, of St. Louis de Cour-Preamble.
ville, has, by his petition, represented:

That Edouard Vachon, of the parish of Beauport, was the owner of the southwest half of an immoveable known and designated as number 59 of the cadastre of the parish of Beauport, and that his sister Esther Vachon was the owner of the northeast half of the same immoveable;

That the said Edouard Vachon, by his will before E. O'Brien, notary, dated the 15th March, 1895, bequeathed all his property (among which was the southwest half of the said lot No. 59 of the cadastre of Beauport) to his son Edouard Vachon, and died on the 28th day of March, 1895, without having revoked his will, which was registered at Quebec on the 16th April 1895, under the No. 93914;

That the said Edouard Vachon, junior, by his will before E. O'Brien, notary, dated the 24th January, 1897, bequeathed all his property to his wife, Dame Emilie Beaudoin, and died on the 13th June, 1903, without having revoked his will, which was registered at Quebec on the 17th October, 1903, under the No. 112307;

That at the time of his death the said Edouard Vachon had three children issue of his marriage with the said Emilie Beaudoin, to wit: Emelia Vachon, now unmarried and of full age of majority, Anna Vachon, now aged nineteen years, and Edouard Vachon, now aged fourteen years;

That at the time of the death of the said Edouard Vachon, the southwest half of the said lot No. 59, of the parish of Beauport, belonging to him, became the property, as to one half, of his wife Emilie Beaudoin, in her capacity of her husband's universal legatee under the will above mentioned, and as to the other half, of his children, Emelia, Anna and Edouard Vachon under their mother's dower;

That the said Esther Vachon, the owner of the northeast