

DOUGLAS FAMILY

ANNIE U. DOUGLAS

SUBJECT FILES

Little White Calf Island

2303.24

Box 6

File 29

Cassels, Brock, Des Brisay, Guthrie, Griffiths & Genest

165 UNIVERSITY AVENUE, TORONTO 1, ONTARIO



Dr. A.V. Douglas,
127 King St. W.,
Kingston, Ontario

Cassels, Brock

Barristers and Solicitors

HAMILTON CASSELS, Q.C.
DONALD GUTHRIE, Q.C.
W. DAVID GRIFFITHS, Q.C.
H. DONALD GUTHRIE, Q.C.
AUBREY A. RUSSELL
JOSEPH W. O'BRIEN
THOMAS H. WICKETT
DENNIS W. BROWN

MERRILL DESBRISAY, Q.C.
HAMILTON CASSELS JR., Q.C.
JOHN T. DESBRISAY, Q.C.
PIERRE GENEST
IAN L. McCULLOCH
GORDON G. DICKSON
DAVID E. RICKERD
G. WILLIAM MCKECHNIE

165 UNIVERSITY AVENUE, TORONTO 1, ONTARIO
CABLE ADDRESS, SCOUGALL TORONTO
AREA CODE 416 TELEPHONE 364-0401

July 2nd, 1968

Dr. A. Vibert Douglas,
127 King St. W.,
Kingston, Ontario

Dear Dr. Douglas:

Little White Calf Island

Herewith in duplicate the deed to Little White Calf Island.

Would you please sign both copies twice over your typewritten name in the presence of a witness who can then swear the affidavit of execution. You must also sign the affidavit of age, having your signature sworn.

I have attempted in the deed to recite the complicated chain of title through the estates of both Mary and Mina Douglas. From these recitals you will see that while you and your brother each held a half interest in the Island at the time of his death, you each received a quarter from Mary Douglas and a quarter from Mina Douglas. The quarter you each received from Mary was devised to you as tenants in common and the quarter you each received from Mina was devised to you jointly. The complicated result of this is that when Dr. George Douglas died, the one-quarter interest he held jointly with you, passed to you automatically by survivorship, while the other one-quarter interest forms part of his Estate. That is why the deed recites that you have a three-quarter interest, and the Estate a one-quarter interest.

I do not have the exact date of death of Mina Douglas; if you have it in your papers it can be filled in the deed, if not, leave it blank.

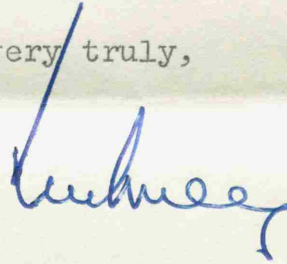
As I pointed out in my letter to you of April 3rd, I think this deed is sufficient to settle the title question in Mary, Pat and George as tenants in common and to avoid further estate complications.

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However, there is one outstanding matter. If Mina Douglas died after 1930, the Province of Ontario will claim a lien against the lands for any succession duties that may be owing in her Estate. On your return in the autumn, perhaps enquiries should be made to determine whether or not a succession duty return was filed in her Estate. In the meantime I think this deed can be executed and registered.

With kindest regards.

Yours very truly,

A handwritten signature in blue ink, appearing to be 'Cassels', written over the typed name 'Cassels'.

AAR/b
Enclosure

Cassels, Brock

Barristers and Solicitors

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AREA CODE 416 TELEPHONE 364-0401

May 16th, 1968

Dr. A.V. Douglas,
127 King St. West,
Kingston, Ontario

Dear Dr. Douglas:

Little White Calf Island

I now have an abstract of the title to Little White Calf Island. It was granted by the Crown on October 17th, 1898 to Mary Douglas and Mina E. Douglas.

Mary Douglas died October 19th, 1921 and under her Will, probate of which was registered on November 1st, 1929 her half interest in the Island was devised to you and George Vibert Douglas. Her will did not say whether you took jointly or as tenants in common, and accordingly under The Conveyancing and Law of Property Act of Ontario you took as tenants in common, that is you each had a half interest in the Mary Douglas share.

Under the last Will of Mina Elizabeth Douglas, which was registered on November 16th, 1935 her half interest was devised to you and George Vibert Douglas, jointly. Mina's will specifies that on the death of one, her share shall become the property of the other. In other words, she devised in joint tenants, so that on George's death his interest in Mina's half share went by survivorship to you.

The result is that you have a three quarter interest in the Island, and George's estate has a one-quarter interest.

I think with a little fancy conveyancing you can transfer your three quarter interest, and you and Mrs. Douglas, as co-executrices of George's estate, with Mrs. Douglas' exercise of the personal direction given to her under his Will, and with Mrs. Douglas' and your release of life interest in his share, the whole of the Island can be conveyed to Mary, Patrick and John.

I am sending a copy of this letter to Mrs. Douglas.

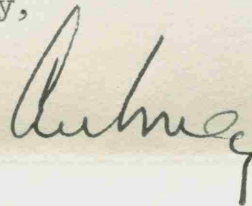
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Unless otherwise directed, I will draft the deed so that Mary, Patrick and John take as tenants in common. That is, they will each have a separate one third interest, and on their respective deaths, their one third interests will go to their estates, and not to the surviving joint owners.

I will forward a draft of the deed in the near future.

With kindest regards.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Arthur".

AAR/b

CC: Mrs. G.V. Douglas

Cassels, Brock

Barristers and Solicitors

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AREA CODE 416 TELEPHONE 364-0401

September 10th, 1968

Dr. A. Vibert Douglas,
127 King Street West,
Kingston, Ontario

Dear Dr. Douglas:

Little White Calf Island

The deed to Little White Calf Island was registered on the 12th day of August, 1968 as Instrument No. 4634 for the Township of Leeds.

Under this deed the Island has been transferred to Mary, Pat and John as tenants in common; that is, they each have a one-third interest therein.

As I mentioned to you in my letter of July 2nd, 1968 title to the Island is subject to a possible claim by the Province of Ontario for succession duties in the Estate of Mina E. Douglas who died February 11th, 1935. At the time of her death she owned a one-half interest in the Island. The value of that interest at that time would probably be so little that I doubt very much if any tax or duty was payable. However, if the Island is ever to be sold a release will have to be obtained. Please let me know if you wish this matter to be pursued. I think a formal release could be obtained quite easily from the Department.

I am sending copies of this letter to Mrs. Douglas and to Pat, with further copies Pat can send to Mary and John. The local tax people should be advised of the change in ownership. I can do this, but I should have instructions as to where tax bills should be forwarded. Should they all go to Pat?

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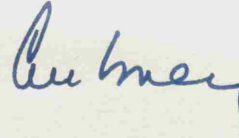
A similar change should be made in the insurance.

What should be done with the deed? I have retained it in the file for the moment, and if everyone wishes we can keep the original in safekeeping, or it could be forwarded to any one with copies to the others.

I also enclose our account for reviewing the title, and preparing the deed with recitals as to the various estates which have had interests therein. Again, I have forwarded copies of the account to all, as it is something that might properly be shared.

With kindest regards.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Aubrey".

AAR/b
Enclosure

165 University Avenue

Toronto 1, Ontario

Dr. Allie Vibert Douglas
and Estate of George Vibert
Douglas, et al

September 10, 1968

IN ACCOUNT WITH

Cassels, Brock
Barristers and Solicitors

TELEPHONE: 364-0401

RE: Little White Calf Island

To our fees and disbursements for services rendered in connection with the transfer of Little White Calf Island to Mary, Patrick and John Douglas, including considering original grant from Queen Victoria, the last wills and testaments of Mary and Mina E. Douglas, the terms of the will of the late George Vibert Douglas and advising as to form of transfer including appointment by Olga Margaret Crichton Douglas of interest of Estate of George Vibert Douglas among Mary, Patrick and John; preparing deed and appointment and attending to execution and registration thereof;

TO OUR FEES

\$100.00

Disbursements

Paid agent's fees to investigate
title

\$12.70

Paid to register deed

6.00

18.70

\$118.70

AAR (56)