

McWILLIAM FAMILY – NEW ZEALAND

THE SCOTTISH LEGACY

22nd January 2022

By Paul Meehan

This is a summary of what I know of the mysterious Scottish inheritance of which my grandmother, Elsie Barbara McWilliam, and her siblings were beneficiaries.

My father, Laurence Meehan, had talked of occasional payments received by his mother, Elsie Barbara Meehan (nee McWilliam) and her siblings from a family legacy in Scotland. These relatively small dividends were received from Scottish lawyers who managed the estate of their grandfathers brother Alexander, unmarried who had left some of his estate to the descendants of his brother who had emigrated to New Zealand.

Elsies great-grandparents were Alexander & Grace McWilliam who had the following family;

Margaret – born about 1829

John – born about 1830

Janet – born about 1831

Grace – born about 1832

Alexander – born about 1840

The origin of the legacy is the above Alexander McWilliam of Glasgow born around 1840 who died in 1915 at the age of 75 years leaving a substantial estate. I have a copy of his will and have summarised this in a separate document.

Approx 1859	John McWilliam (Alexanders older brother) emigrated to New Zealand. No specific details have been found.
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7 th Mar 1862	John marries Barbara Douglass 7 th March 1862 at Otago Peninsula. John was aged about 31 and Barbara was aged about 23.
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31 st Oct 1862	Their son Archibald Alexander McWilliam was born at Moeraki.
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9 th Jun 1864	Their daughter Grace Amelia McWilliam was born at Hampden.
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1 st Sep 1866	John McWilliam dies at the age of 35 years – cause of death; “paralysis from disease of the brain”. Johns will dated 16 th January 1866 is transcribed separately (John was blind at the time of making his will). Eighty-six acres was left to his four year old son Archibald and fifty-three acres was left to his wife, Barbara while she remained a widow but Johns will stated that if she re-married this land would then pass to his son, Archibald.
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3 rd Dec 1912	Johns brother, Alexander makes his will. His occupation at the time is described as “Wright & Builder”.
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11th Oct 1915 Alexander dies at the age of 75 years – cause of death; “malignant disease of left lung”. Alexanders estate is managed by his Trustees.

Alexander lived in a substantial house, “Craighmore” at 3 Park Gardens, Partick, Glasgow. He also had a house at 70 Lochryan Street, Stranraer which he left as liferent to his unmarried sister, Grace, along with an annuity of fifty pounds. His estate was left to his nieces and nephews as follows;

James Laing	1/27 th
John McWilliam Laing	1/27 th
Robert Ness Laing	1/27 th
Margaret Euphemia Laing	1/27 th
Isabella Laing	1/27 th
Archibald Alexander McWilliam	2/27th
Grace Amelia Dunbar	2/27 th
John McWilliam Myles	2/27 th
Alexander Myles	2/27 th
Mary Jane Myles	4/27 th
Jessie Myles	4/27 th
James Myles	2/27 th
Wilhelmina Myles	4/27 th

6th Dec 1938 Archibald Alexander McWilliam dies at the age of 76 years.

15th Sep 1939 Archibalds estate is distributed to his 11 surviving children as follows;
(His daughter Isabel had predeceased him)

John McWilliam	£350 – full settlement
Bruce McWilliam	£360 – full settlement
Dorothea McKellar	£100 now and further £260 when Scottish property is realised.
Fred McWilliam	(unmarried) - ¼ share of “Glenmark” farm
Douglas McWilliam	£100 now and further £260 when Scottish property is realised.
Alice Ludemann	£100 now and further £260 when Scottish property is realised.
Stan McWilliam	(Unmarried) - ¼ share of “Glenmark” farm
Mona McWilliam	(Unmarried) - ¼ share of “Glenmark” farm
Elsie Meehan	£100 now and further £260 when Scottish property is realised.
Alex Sullivan	£100 now and further £260 when Scottish property is realised.
Jean McWilliam	(Unmarried) - ¼ share of “Glenmark” farm

It appears that Archibalds 2/27th share of the Scottish estate was sold to other beneficiaries and this amount would have been distributed to the five siblings as above but I have found no record of the distributions. Refer Mitchell Robertson letter dated 18th April 1986.

- 1954 It appears that the original Scottish estate remained active and Archibalds descendants became the recipients of a further 1/27th share on the death of Robert Laing 26th Feb 1954.
I understand that the major asset of the trust by this time was a tenement property occupying a full block in Partick, Glasgow which consisted of ground floor retail and residential tenancies.
I am not sure if the tenement block was owned by Alexander at the time of his death or was subsequently purchased by his Trustees as an investment. The residential tenancies were held in "life rent" which meant that the tenants had the right to live there for the duration of their life
- 1987 Documents I found amongst my fathers affairs show that enquiries were made with the Scottish solicitors and subsequently funds amounting to approximately \$NZ30,000 were transferred to Guardian Trust New Zealand around 1987
Refer Trustees minutes dated 10th March 1987 recording the decision to appoint NZ Guardian Trust Company to administer the distribution of funds due to the representatives of Archibald Alexander McWilliam.
Refer also Mitchells Robertson correspondence dated 27th Oct 1987.
- 2014 Nothing appears to have been actioned since 1987. Around June 2014 I received an enquiry from Perpetual Guardian requesting information about contact details for current beneficiaries. I had several communications with Pitena Parkin and on 14th July 2014 and after much research I provided her with contact details I was aware of.
- 2015-17 Documents provided to me 17th December 2021 indicate that the following distributions occurred;
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| Margaret Sim | 3,621.01 | 30.07.15 |
| Myles Ludemann Reps | 607.24 | 07.08.15 |
| Henry Ludemann Estate | 607.26 | 07.08.15 |
| Margaret Ludemann Reps | 607.24 | 07.08.15 |
| Irene Anderson | 1,414.63 | 26.08.15 |
| Peter McWilliam | 1,414.63 | 26.08.15 |
| Isabel McWilliam Reps | 2,829.26 | 31.08.15 |
| Anne Wilkie | <u>553.99</u> | 11.08.17 |
| Total Distributions: | \$11,655.26 | |
- 2019 I had no further correspondence from Pitena and made enquiries in May 2019 to learn that she was no longer employed at Perpetual Guardian and I was put in touch with Vivian Ma of Wellington who was now handling the account. Vivian requested current contact details for the remaining 43 beneficiaries. The estate was valued at approximately \$16,025.00 at this stage and Vivian indicated that annual fees were costing about \$575.00 pa. Vivian also mentioned that it would cost approximately \$3,400.00 to verify and distribute the funds.
- We discussed the possibility of my becoming trustee and distributing the funds. at no cost – this would involve the cost of \$600 - \$800 plus accountancy costs for a Deed of Assignment.

- 2020 On 20th November 2020 a transfer document was received by me and I subsequently requested further details relating to the prior distributions and current accounts. I requested this information in order to satisfy myself that all distributions would be recorded with full transparency to all beneficiaries.
- 2021 The matter stalled until just recently when I signed the deed and agreed to become Trustee. There are currently 67 beneficiaries and I will distribute the funds as soon as possible and completely wind up the Trust. I will ask all beneficiaries to contribute to a memorial for the settler who is the source of the funds coming to New Zealand – John McWilliam is buried in an unmarked grave at the Southern cemetery in Dunedin.

Due to the complexity and number of beneficiaries, the estate was allocated by NZ Guardian Trust into sub-accounts. After the distributions mentioned above (2015 – 2017) the sub-account valuations are as follows at 22 January 2022;

Grace Alexandra Sullivan	4,141.74
John McWilliam	2,740.34
Dorothea McKellar	3,556.23
Alice Ludemann	1,398.80
Elsie Meehan	<u>3,014.93</u>
	\$14,852.04

The originating Trust Settlement provides that the estate is to be distributed “per stirpes” – (to the heirs and their issue in equal shares) i.e. the value must go to direct descendants and not to estates or spouses.