

# LEGISLATURE OF ONTARIO

## SECOND PARLIAMENT—SECOND SESSION.

WEDNESDAY, Feb. 19.

The SPEAKER took the chair at three o'clock.

### PETITIONS.

Mr. Fairbairn—From John Montgomery, of Headford, praying for a certain investigation.

Mr. Monteith—From the Township Council of South Easthope, praying that said township be united to the North Riding of Perth for registration purposes.

Mr. Prince—From Thomas Fairbairn, et al., of Sandwich East, praying that said Township may not be divided.

There were twelve petitions presented by various members praying for the passage of a Prohibitory Liquor Law.

### THE HERSEY AND KINGSMILL ESTATES.

The SPEAKER informed the House that the Clerk had received from the Judges appointed to inquire into and report on Estate Bills their reports in the cases of

Bill (No. 187), for the sale of the estate of Zephaniah Swift More Hersey, deceased.

Bill (No. 206), to authorize the sale of certain lands in Guelph, the property of J. J. Kingsmill.

The reports were then read by the Clerk, as follow:—

OSGOODE HALL, 17th Feb., 1873.

The undersigned, to whom, with other Judges of the Superior Courts of Law and Equity, commissions have been issued to report in respect to any Estate Bills or Petitions for Estate Bills which may be submitted to the Legislative Assembly of Ontario, have the honour to state, in reference to the Estate Bill (No. 187), and the Petition of Caroline Maria Hersey and others, that it is not reasonable, in the opinion of the undersigned, that the said Bill do pass, inasmuch as the Court of Chancery, on a Bill filed, or a Court of Common Law, under the Provincial Statute, would make partition of the lands, and also the Court of Chancery would, pursuant to the Statute, 12 Victoria, chapter 72 (Con. Stat. U.C., cap. 12, sec. 50), order the shares of the infants to be sold, if it should be shown that such sale was advantageous for the infants.

J. G. SPRAGGE, C.

S. H. STRONG, V.C.

TORONTO, 17th Feb. 1873.

Sir,—In reference to Bill (No. 206) re Kingsmill, being an Estate Bill, forwarded to me by you, I have the honour to report for the information of the Honourable the Legislative Assembly:

That having consulted with two of my brother judges who are peculiarly fitted to consider the subject of "Trusts," we are of opinion that the Petition and Bill referred to, forwarded by you to me, do not afford