

Legatee "Cheated," Say Liberal Women; Protest Planned

Messrs. Sinclair and Nixon Challenge Bill at Second Reading—Dispute Arises as to Whether Mercer Decision Applies—Women to Take Up Discussion at Meeting and May Make Whole Problem Election Issue in West York Contest

SIX MONTHS' HOIST IS OPPOSITION PLAN

Principle of the Henry Government's legislation providing for confiscation of the \$520,000 fortune of the late Charles Millar, for use in the University of Toronto, was strenuously opposed in the Legislature yesterday by Liberal Leader William E. N. Sinclair and Hon. Harry C. Nixon, Progressive Leader, and, in securing second reading, had to run a veritable gauntlet of Opposition "No's," "Terrible's" and remarks of an extremely derogatory nature.

A belated effort on the part of the Opposition to get a vote was precluded by the Speaker's "Carried" and the voice of Premier Henry announcing the next item of business from the order paper. The vote question, The Globe understands, is not to be dropped, however, and, when the bill reaches committee stage, the Opposition will move and press for a six months' hoist.

There was absolutely no need, Mr. Sinclair argued, during second reading, for the Government to put the bill through this session. Already, he said, public opinion was, to his belief, mounting against the measure. The estate moneys were in the hands of trust companies, and would be in just as good shape a year from now as at the present time. Moreover, by next session, he felt, questions of litigation, now obtaining, would probably be disposed of and out of the way. All steps so far, said he, indicated that Mr. Millar's will was a proper one, and that he was in a purely rational state of mind when he made it. Until it was shown that the will was illegal and void, the Government should "hold its hand."

"Have we any precedents for such action of the Government?" asked Mr. Nixon of Attorney-General William H. Price, the bill's sponsor.

"Yes," said Colonel Price, "the Andrew Mercer estate."

"I mean," said Mr. Nixon, "where an Attorney-General actually stepped in as you are doing now."

"Yes," said Colonel Price. "We had a bill founding the Mercer Reformatory."

Looking at the matter from what he termed "the point of view of the ordinary citizen—not any lawyer's"—Mr. Nixon condemned the introduc-

tion of the bill as "a most amazing procedure."

"Why," said he, "the courts haven't yet passed on the validity of the will, and still we have the Government stepping in to seize the money and turn it over to the University of Toronto. What could be more amazing and more disquieting? What guarantee has any one got against similar action on the part of the Government if this measure goes through? And may I ask if it is because Toronto is the Provincial university that the money is going to it? Why not Queen's or Western?"

Premier Henry heatedly interposed the explanation that the late Mr. Millar was a graduate of the University of Toronto, and that a former will of his had stipulated that the estate go to his alma mater.

Both Mr. Sinclair and one of his following, Charles A. Robertson (North Huron), submitted strenuously that the Andrew Mercer case provided no precedent for the Government's action on the Millar estate.

"There may have been a bill brought in as now," said Mr. Sinclair, "but there was no one to take the Mercer money. It was lying on the doorstep." And, he further argued, there had, as far as he knew, been no will left by Mercer.

C. A. Seguin (Conservative, Russell) also expressed a measure of hostility to the bill, and suggested additional public safeguards be incorporated in it.

Colonel Price, in speaking to second reading, reiterated much of the explanatory argument he voiced when the bill was first introduced, and, by way of claim that Mr. Millar had intended to destroy the existing will with its peculiar bequests and give the bulk of the estate to the university, he read to the House the following letter of Walter H. Thomas, Treasurer of the Ontario Greeters, Charter 50, Hotel Greeters of America, which said, in part, under date of March 23:

"Wish to state that, as Assistant Manager at Queen's Hotel, I had lunch with the late Charles Millar a half-hour or so before his death (Sunday, Oct. 31, 1926). Mr. Millar always sat at a table used by the office staff and Mr. T. D. McGaw.

"He frequently made joking remarks in reference to his will and some personal matters which I have not seen printed.

"He had mentioned that he intended to destroy that will and give the bulk of his fortune to the university. But, death coming suddenly, he had not time to carry it out.

"Mr. T. D. McGaw, representing McGaw estate interests in hotel (41 Roxborough Drive), and Mr. W. H. Dalton, Manager Queen's Hotel (now at Lucerne-in-Quebec) will likely remember hearing Mr. Millar's remarks.

"This may be of assistance to you."

T. D. McGaw stated last night to The Globe that, while well acquainted with the late Charles Millar, he never saw the will executed by the barrister, nor did they ever discuss its provisions. "I know nothing at all about it," he declared.

COMMENT IS ACRID AGAINST CABINET

If the Henry Government succeeds in upsetting the Millar will, and gives to the university the \$520,000 bequeathed to the Toronto mother bearing the most children between 1926 and 1936, Liberal women of Toronto will launch a far-reaching campaign to redress what they consider an outrage.

Lloyd Jaeger, President of the Ward 3 Liberal Association, has promised to give the matter prominence at the mass meeting to be addressed at the Foresters' Hall, 22 College Street, on March 31 by Hon. Peter Heenan. It is understood that Mr. Heenan was a personal friend of the late Charles Millar. He is expected to have some pungent comment on the escheatment proceedings.

"The term escheatment sounds fine," said Mrs. Zoe F. Stevens. "But, as a matter of fact, it is plain cheating."

"Nothing in my experience," said Mr. Jaeger, "has aroused so much indignation among Liberal women. I understand that the ladies intend to ask Mr. Hepburn to promise to rectify the Attorney-General's act when the Liberals come into power. The Government is not only flouting the wishes of the deceased—it is cheating the children of one or more Toronto women."

Liberal women point out that numerous bequests already have been paid under the will of the late Charles Millar. "There was no complaint when numerous Protestant clergymen accepted their bequests. Why should the most deserving mother be deprived of money legally bequeathed to her?" asked a prominent worker.

Predictions were made that the matter would loom large at the Hepburn rally, to be held in about a month in Massey Hall, and during the West York by-election.

Escheatment Sensation.

Unprecedented action proposed by the Ontario Government in a bill to escheat the half-million-dollar residue of the estate of the late Charles Millar, which was designated by his will for the mother of the greatest number of children born in Toronto ten years after his death in 1926, set the city and the Province by the ears yesterday.

Lawyers discussed rights of the Province to enact such legislation. Parents of large families intimated plans to fight for their rights under the will. Ordinary folk paused to question one another as to whether, if the Legislature is right in this instance, it would not also have the power, every time it needed a few extra dollars, to pass a law "escheating" any or every estate left in the Province.

Perhaps the kindest thing said about the proposed legislation came from Mrs. Grace Bagnato, generally conceded to be in the forefront of the mothers of this city who might profit under the terms of the late Charles Millar's will. When phoned by The Globe last night, Mrs. Bagnato observed without a trace of discernible irony: "We don't want any further publicity in the matter. Perhaps it is better that the money should go to the university."

May Fight Legislation.

Mrs. Bagnato is the mother of eleven children, six of them born since the death of Mr. Millar. Mrs. Henry Brown of 68 Uxbridge Avenue is mother of thirteen children, six of them born since the death of Mr. Millar. Mr. Brown emphatically declared his opposition to the Government's proposed action. On both sides, the family, he said, is Canadian for generations back. If possible, he declared, his family, if it proved to be the largest within the period named by the terms of the Millar will, would fight the Government for possession of the legacy.

Lawyers Enter Discussion.

While laymen were puzzling as to what the Government meant in describing a will-provision for the encouragement of parenthood as being against public policy, lawyers yesterday discussed the legality of the proposed bill. There was a distinct cleavage in legal circles as to the justice and soundness of the proposed bill. Even though deploring the action of the Government in taking away a man's property simply because he had gone, one lawyer thought that,