

## ACT FOR QUIETING TITLES.—MR. JUSTICE SHEE.

The following are also amongst the Bills that did not become law—A bill to abolish the Heir and Devisee Commission, and give the like powers to Judges in Chambers, which would facilitate business and save time to applicants—A bill to amend the Act respecting Division Courts, containing some valuable and well drawn clauses, reflecting much credit upon its introducer, Mr. Coyne, but which, as a whole, it was best not to pass—A bill to amend the Act for the Partition of Real Estate, which, by giving Judges in Chambers powers now held only by the full Court, and by simplifying the procedure, &c., would materially increase the benefit of the act; an act of this nature might, we think, be usefully supplemented by numerous forms—A bill to quiet the titles of persons holding lands formerly sold for taxes—about as objectionable a measure, at least so far as one could judge from the copies distributed, as could well be imagined, but which would not have been allowed to pass in its present shape, we venture to say, even if there had been time for the purpose, and irrespective of the question, whether it is desirable or not to preserve tax titles from destruction, owing to defects and irregularities in the sale or otherwise.

The legislation of this the first Parliament of Ontario will be regarded with much interest; and upon the whole, we think there is no just ground for complaint that the new Legislative Assembly, principally composed, as it is, of beginners in the science of law-making, has in the matters here alluded to fallen far short of the wisdom of its more experienced predecessors.

## ACT FOR QUIETING TITLES.

It was provided by the last general orders issued for the conduct of cases under this statute, that in case there should be any defect in the evidence of title, or in the proceedings, the petitioner or his solicitor should be informed of the same, so that the defect might be remedied, before an attendance before a judge with the petition and papers for approval.

As titles are frequently brought before the Referees in a defective state, or which bring up new or difficult points, it would, we think be desirable to lay before our readers notes of such cases of general interest as the Referees may enable us to publish. They have kindly consented to assist us in this

matter, and from the high position which these gentlemen hold as real-property lawyers, their notes will be the more appreciated.

We have through the kindness of Mr. Turner obtained the information transmitted by him in a case now before him, which gives some useful hints, as well to conveyancers as to those of laying titles before the Referees for investigation.

## SELECTIONS.

## MR. JUSTICE SHEE.

It is with the most unfeigned regret that we announce the decease of Mr. Justice Shee, which took place a few minutes after 8 o'clock on the morning of the 19th inst., at his residence in Sussex-place, Hyde Park Gardens. It is not easy to say of what particular malady he died, but there is too much reason to believe that his illness originated in the unhealthy atmosphere of the court in which he has been presiding. On the 7th inst. he discharged his duties as one of the justices of the Queen's Bench, and delivered judgment in an important case. He had been complaining a little previously, but on the following day he was taken seriously ill. He, however, on Monday rallied a little, but on Tuesday he became worse, and his strength gradually ebbed, notwithstanding his robust constitution.

Mr. Justice Shee was the eldest son of Joseph Shee, Esq., of Thomastown, County Kilkenny, and Belmont Lodge, South Lambeth, who was a London merchant, by the daughter of John Darrell, Esq., of Scotney Castle, an old Kent Roman Catholic family. He was born at Finchley in 1804. Being a Roman Catholic, he was educated at Ushaw College, and at Durham and Edinburgh. He married, in 1837, Mary, daughter of Sir James Gordon, Bart., of Gordonstown, the Premier Baronet of Scotland. It is understood that Sir William Shee was a near relative of the late Cardinal Wiseman. He was called to the Bar at Lincoln's-inn, in June, 1828, and joined the Home Circuit, of which he became the most popular leader of any of the many distinguished men which that Circuit produced. Whilst a junior he earned a high reputation for diligence. His speeches in the great *Angel case* are within the recollection of most of our readers, as well as those which he delivered in the *Hudson v. Slade case*, in the *Bewick case*, in *Palmer and Roupel's cases*, and though last, not least in the *Seymour v. Butterworth case*. He became a Serjeant in 1840, received a Patent of Precedence in 1845, and was made Queen's Serjeant in 1850. He became a justice of the Queen's Bench in 1864. His reputation as a lawyer was proved by the publication of several editions of Lord Tenterden's book on Shipping, the eleventh edition of which he brought