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HON. R. M. MEREDITH, C.J.C.P.

JUNE 18TH, 1913.

COLLIER v. UNION TRUST CO., RE LESLIE AN INFANT.

4 O. W. N. 1465.

Infants—Power to Deal with Lands—Jurisdiction of Court—Discretionary Power—Advantage to Infant.

MEREDITH, C.J.C.P., refused to confirm a settlement of an action, approved of by all parties and the official guardian, where an infant's interests in land were affected and it was not shewn beyond question that the proposed scheme would work out in the future to the infant's advantage.

Power reserved to make later application on other material.

Application to the Court to give effect to a judgment agreed upon between the parties to this action, in settlement of the matters in question in it. The settlement affected very materially the interests of an infant in the lands which are chiefly the subject of it; and so, to confer greater power upon the Court, an application was also made by the official guardian in the infant's behalf, under the Act respecting infants, for leave to her to take such steps as may be needful to carry into effect the settlement.

The infant is the owner of two undivided shares of the land in question; her father, a defendant in the action, was the owner of the other undivided share; but under a deed of settlement, by which the infant benefits largely, he conveyed that share to a Trust Co. who are the defendants in the action. The plaintiff is a creditor of the father, seeking payment of his demand out of the trust property.

A. K. Goodman, for the petitioner.

D. C. Ross, for the Union Trust Co., trustees.

J. MacGregor, for the plaintiff in the action.

F. W. Harcourt, K.C., for infants.