

George Hibbitt, James Hibbitt, Florence Crump, Edward Hibbitt, Frances Waring, and Edith Robertson, and three infant children of Charlotte Sorace, a deceased daughter of the said Sarah Ann Hibbitt, whose names are not mentioned in the material filed upon the application, but who were represented on the motion by the Official Guardian.

One William Connon, has purchased the shares of the said George Hibbitt, James Hibbitt and Florence Crump in the estate. The Trust & Guarantee Company Limited were appointed administrators of the estate.

It is said that all the assets of the estate have been realised and the accounts passed by the Surrogate Court of the county of York. The administrators have paid into Court to the credit of the estate under Rule 1258 the sum of \$5,418.35.

J. M. Godfrey, for the administrators and William Vine and William Connon.

R. U. McPherson, for Mary Seagriff.

T. Hislop, for Ellen Agnes Haughton.

E. C. Cattnach, for the infants.

HON. MR. JUSTICE SUTHERLAND:—A difficulty has arisen as to the amounts to which the respective heirs are entitled. It appears that in addition to the heirs hereinbefore mentioned one Ellen Agnes Haughton claims to be a daughter of the intestate and entitled to a one-fourth share in the estate. It was suggested on the application that one-quarter of the said \$5,418.35 be allowed to remain in Court together with an additional \$500 and that the balance be paid out to the parties claiming to be entitled, other than the said Ellen Agnes Haughton, and that an issue be directed to determine whether she is a lawful heir. I think that perhaps for the present all the money above \$3,000 may well be retained in Court and that that sum may be paid out as follows:—

\$1,000 to William Vine; \$1,000 to Mary Seagriff, and \$1,000 among the representatives of Sarah Ann Hibbitt in the proper portions to which they are entitled, the applicant Connon to be paid the shares of the said George Hibbitt, James Hibbitt and Florence Crump.