

**11.** The declaration, in an action in contestation of letters of verification, must be accompanied with an affidavit of the plaintiff or of a competent person, denying the correctness of these letters, stating in what their incorrectness consists, and further attesting the truth of the facts alleged in the declaration ; and all the heirs mentioned in the contested letters of verification or their representatives must be impleaded.

Declaration to that effect.  
Affidavit.  
Heirs mentioned to be impleaded.

**12.** The declaration and affidavit must be produced and filed at the time of the issue of the writ ; and notice of the contestation under the signature of the prothonotary, must be published in the same manner as the summary notice of an application for letters of verification.

Fyling of declaration and affidavit.  
Notice.

**13.** When the action in contestation of letters of verification is maintained, the judgment either corrects them, or revokes them.

Judgment.

Corrected letters of verification have the same effect as the original letters ; they may also be contested by any heir who was neither an intervenant nor a party in any previous action in contestation.

Effect of correction.

**14.** Except during the pendency of an action of contestation, authentic copies of " letters of verification," either original or corrected, as the case may be, shall be delivered, under the seal of the court, to all persons requiring the same, for use outside of the Province, in all proceedings or circumstances, where it is required to prove who are the heirs of the deceased or to obtain ancillary or subsidiary letters of administration.

Copies of letters shall be delivered.

## C A P . X I .

An Act respecting the notification for and the attendance at the removal of seals and inventories.

[Assented to 9th March, 1878.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Whenever any of the persons entitled to be present at the removal of seals or to take part in an inventory, reside outside of the Province, they need not be summoned ; but in such case a judicial procurator is named by a judge of the superior court, on application of the person demanding the removal of seals or the making of an

A judicial procurator may represent absent persons.

inventory, to represent such persons; and such judicial procurator must be present or have been notified to be present.

Such persons  
may be pre-  
sent or name  
a procurator.

**2.** Notwithstanding the nomination of a judicial procurator to represent the persons mentioned in the preceding section, such persons or any of them may also be present and take part, or may send a power of attorney to the judicial procurator or to any other person, should they think fit to do so; and such appearance or appointment of mandatory shall terminate the mandate of the judicial procurator.

39 V., c. 33, s.  
24, to apply.

**3.** Section 24 of the act 39 Vict., cap. 33, shall apply to proceedings under this act.

Art. 1298 and  
1305 of C. of  
C. P., amend-  
ed.

**4.** Articles 1298 and 1305 of the Code of Civil Procedure are supplemented in the particulars contained in this act.

## C A P . X I I .

An act to amend article 873 of the Code of Civil Procedure.

[Assented to 9th March, 1878.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Art. 873, C. C.  
P. amended.

**1.** Article 873 of the Code of Civil Procedure of this Province, is amended, by adding at the end of the second paragraph thereof, the following words: "but shall be subtracted from the sale, the moveables and effects mentioned in article 556."

Act in force.

**2.** This act shall come into force on the day of the sanction thereof.

## C A P . X I I I .

An act to amend article 997 of the Code of Civil Procedure, relating to suits against certain corporations.

[Assented to 9th March, 1878.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows: