

of the "*Fraser Institute*," and all and every the dispositions connected therewith together with the proposed establishment of the said trust, and of the said fiduciary legacy, is and are illegal, null and void, and is and are hereby set aside and cancelled ;

Doth further declare that the said Plaintiff's (including George Chapman, in his capacity of Tutor to the minor children issue of his marriage with the late Catherine Fraser,) as heirs at law of the said late Hugh Fraser, were at the time of the institution of this action, and still are the sole owners and proprietors of all the property real and personal, moveable and immovable, belonging to and left by the said late Hugh Fraser, at the time of his decease, except such parts thereof as are covered by the bequest made by him in his said last will and Testament, which are not included in the intended legacy, impugned in this action, and hereby declared to be null and void ; doth order the said Hon. John J. C. Abbott, and John Cowan, in their capacity of Executors of the said last will and Testament of the said late Hugh Fraser, within two months of the service upon them, of this judgment to render a true and faithful account of the Estate of the said late Hugh Fraser, and of all the rents, issues and profits accrued therefrom, and of their administration thereof; and to deliver up, and to abandon to the Plaintiff's, all the rest and residue of the Estate real and personal of the Testator, after deduction of the said unimpugned bequests.

And this Court doth further order, that in the event of the said account not being rendered and filed in this Court, within the delay above granted, the Plaintiffs may take such further conclusions as to law, and justice may appertain, the whole with costs against the Respondents, in both Courts, whereof distraction is awarded to the Appellants Attornies.

*Dissentientibus.*—The Honorable Mr. Chief Justice Duval, and Mr. Justice Badgley.

True Copy,

[*Signed*]

C. DE GRANDPRÉ.

*Deputy Clerk of Appeals.*