

for, the application, or petition, and the affidavit in support of it, must show the particulars of the real estate of the deceased, and its value, or probable value; and the amount of the security to be given must have reference to such value in addition to the value of the rest of the estate of the deceased. The administrator, or other legal personal representative, has power to dispose of, and otherwise deal with, all real property vested in him by the Act, as though the same were personal property.

As to the duties of administrators in regard to the payment of Succession Duty the chapter on that subject should be consulted.

But where there are no debts, and persons beneficially do not concur in the sale, or are infants or lunatics, the consent of the Official Guardian is necessary to make the sale valid as against them.

Real estate not disposed of by the administrator within 12 months of the death of the testator, vests without any conveyance by the administrator in the persons beneficially entitled to it, unless the administrator registers a caution that it may be necessary for him to sell the lands in the Land Titles or Registry Office where the land is situate. A form of caution is given below. When such a caution is registered the land does not vest in the heir or devisee until 12 months from the time it is registered or from the time of the registration of the last of such cautions, if there are more than one registered. Where the administrator has omitted through oversight to register a caution within the 12 months, the Act provides a special method of doing so, either by consent of the adult heirs or devisees affected, or by an order signed by a High Court or County Court Judge, or a certificate of the Official Guardian.

Before the expiration of the 12 months the administrator may file a certificate withdrawing the caution or withdrawing it as to a specified parcel of land. A form of this certificate is given below with the necessary affidavit.

In Manitoba, lands are now to be treated, as regards descent, as chattels real; and the pass to the executor or administrator of the person dying seized, as personal estate.

The forms appended are those in common use in Ontario. Usually, printed forms of all necessary administration papers may be obtained of the Court to which application for the Letters is made.