

37. If the transmission takes place by virtue of any testamentary act or instrument, or in consequence of a intestacy, the probate of the will or letters of administration or testamentary documents, or other judicial or official instrument under which the title (whether beneficial or as trustee) or the administration or control of the personal estate of the deceased is claimed to vest, purports to be granted by any court or authority in Canada, or in Great Britain or Ireland, or any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom, shall, together with the declaration mentioned in section 36 of this Act, be produced and deposited with the manager, secretary, treasurer or other officer named by the directors for the purpose of receiving it, and such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture or obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, or transferring or consenting to the transfer of any bond, debenture, obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to, such probate, letters of administration or such other document as aforesaid.

Requirements
in case of
transmission
by will or
intestacy.

38. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon such shares, bonds, debentures, obligations, dividends or coupons, or the proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, then and in such case the directors may file in any court of competent jurisdiction in the province in which the head office of the Company is situated a petition stating such doubts, and praying for an order or judgment adjudicating and awarding the said shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties legally entitled thereto, and such court shall have authority to restrain any action, suit or proceedings against the Company, and the directors, and officers thereof, for the same subject matter, pending the determination of the petition; and the Company and the directors and officers thereof shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters which have been in question in such petition, and the proceedings thereupon: Provided that if the court adjudges that such doubts were reasonable, the costs, charges and expenses of the Company, in and about such petition and proceedings, shall form a

Directors
may apply
to court in
cases of
doubt.