

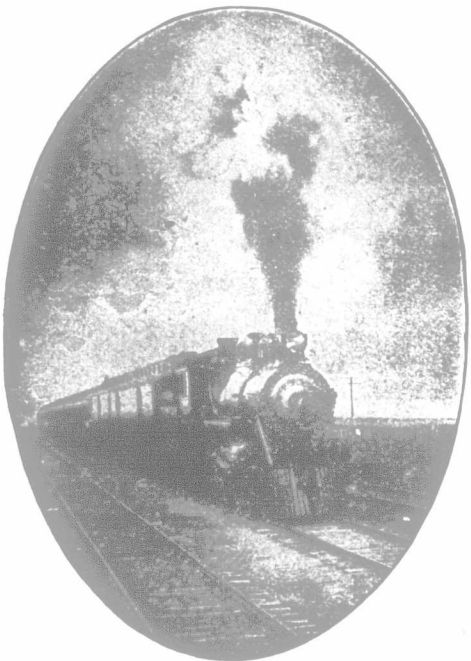
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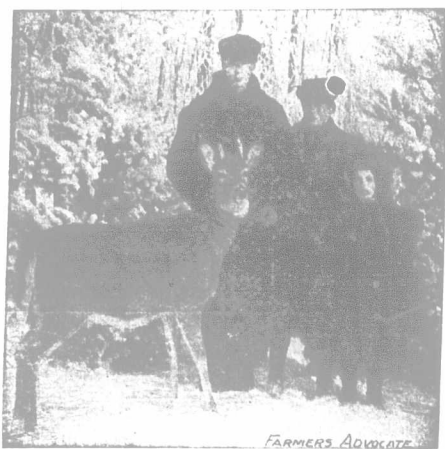
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**QUESTIONS AND ANSWERS. Legal.**

**TERMINATING CONTRACT.**

Q.—Is a person who has a year contract with a firm free to devote himself or herself to other business outside the office hours, which are 9 o'clock, a. m., to 6 o'clock, p. m.? Can a one-year or three-year agreement with contract be terminated by giving notice by either party, such not being mentioned in the contract? If so, how long a notice must be given? SUBSCRIBER.

Portage la Prairie. Ans.—A party is free to do any work outside his regular business hours. The term of service is binding under the contract (providing the contract is legal) for such time as the contract provides; but in case of abuse or non-payment of wages or gross neglect and such other matters, it can be broken before the expiration of the time.

**THE LAW OF LINE FENCES**

Q.—A and B bought a section in partnership on which there is a spring on the east half, flowing east. A wants to divide the section in halves, so as to keep his stock away from B's. Can A compel B to build his half of the dividing line, and can he cut him out of the water privileges? High River.

NEW SUBSCRIBER. Ans.—When a fence is built together, each pays half the cost; or, if one party has built the fence originally, as soon as the other party joins it with a cross fence, thereby using the line fence in his enclosure, he is obliged to repay to the party who built half the value of the fence, and it is the duty of each party to keep the fence in repair. This is often arranged better by each agreeing to take a certain half of the fence to repair. If the spring flows across the line, it will be available to both parties, and the party on whose land the spring rises cannot divert its natural course so as to do the other party out of the water.

**DISPUTE OVER TEAM.**

Q.—A sold a team to B, and took a chattel mortgage on them. B sold them to C, and took a lien note on them. C was a minor. He sold the team to D, and got the cash for them. The lien note took the team from D. D had paid \$300 for the team to C; then he had to pay a further sum of \$200 to redeem the team. B had turned over the lien note to A, as security for mortgage. The lien note was drawn up in the form of an agreement, and is signed by C, the minor. Will the lien note take the team from D. C's father is worth the money. Could D collect the \$200 from him, or is there any way that D can get the \$200 back? A SUBSCRIBER. Strathclair.

Ans.—One would suppose that A would seize the team under the chattel mortgage, but if it was improperly taken under the lien note by A, then A would be responsible for the same to D. The question might arise as to C's criminal liability in selling the team when not clear.

**ADMINISTRATION OF ESTATE.**

Q.—A man dies without a will, leaving an estate in Ontario. His wife administers to estate, and has a valuation made.

1. Can wife compel each child as he comes of age to accept his share in accordance with such valuation? Children being able to prove such valuation is unjust.

2. What could child do in order to obtain a fair share of such property? There are still children under age.

3. Is it compulsory for each child to remain at home till they are twenty-one years of age, in order to claim their share? Older ones earned for themselves from the age of eighteen.

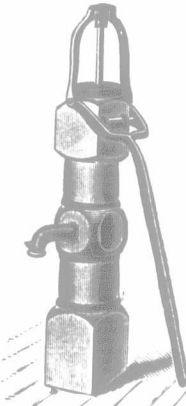
4. Can ones who earned for themselves from the age of eighteen claim a full share with ones who stayed at home till over that age? M. A. Mc. Arkinside.

Ans.—1 and 2. If a party entitled to a share of an estate is dissatisfied with the manner in which the administratrix is administering the estate, he should apply to the Judge of the Surrogate Court where the letters of administration were granted to have the matter looked into, both as to the valuation and otherwise, and the Judge would then make such order as he would deem fit.

3. It is not necessary for the children to remain at home until twenty-one years of age to claim a share.

4. Yes.

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