

plea shall and may be treated as a nullity, unless it be accompanied by an affidavit or affirmation verifying the same, with a statement of the receipts and payments on account of the estate by the personal representative.

IX. The personal representative of any deceased person shall and may, as soon as he shall have paid all such claims as aforesaid against the estate of such deceased person as shall be fyled as aforesaid within six calendar months from the time of administration granted, distribute the residue of the said estate among the legatees or next of kin, as the case may be, according to law; and thereafter such personal representative shall be absolutely discharged from any claim, suit, action or proceeding of any other person on account of the estate of such deceased person, and shall and may plead the same as an absolute bar to any such action, suit or proceeding.

X. After distribution of the residue of the estate of any deceased person by the personal representative as aforesaid, any person having any such claim, debt or demand as aforesaid against the estate of such deceased person, shall and may proceed for the recovery thereof, by action of debt against all or any of the parties to whom such residue shall have been distributed, and such parties shall be liable in such action to the extent of the residue received, and no more: Provided always, that the claimant, before instituting any such action, shall furnish a statement of his claim to the said parties against whom he claims the same, accompanied by an affidavit of the nature required by the third section of this Act.

XI. For the purposes of this Act, proceedings may be had or taken in the said Probate and Surrogate Courts, or either of them, at any time, without reference to any fixed or periodical sittings of such Courts.

XII. The term "personal representative" used in this Act shall include and extend to all and every person to whom probate or administration of the estate of any deceased person shall be legally granted, in any way, manner or form whatsoever.

XIII. The following fees shall be allowed to the Official Principal of the Court of Probate, and Judge of Surrogate Court, for services performed under this Act.

- 35 Declaring dividend, *one per cent.* upon amount thereof.
 Order to deliver statement, *five shillings.*
 Order for imprisonment, *ten shillings.*
 Order for sale, *ten shillings.*

XIV. This Act shall not extend to Lower Canada.

Extent of Act.

Filed by affidavit.

When claims fyled within six months are paid, residue to be distributed according to law, and personal representative discharged of other claims.

Parties receiving such residue liable to the extent of the amount received.

Proviso:

At what times proceedings may be had under this Act.

Interpretation Clause.

Fees.