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No. 183.

1st Session, 7th Parliament, 25 Victoria, 1862.

BILL.

An Act to render Wills, made in conformity with the laws of either Upper or Lower Canada, effectual to pass Real Estate in the other section of the Province.

Received and read, first time, Monday, 12th
May, 1862.

Second reading, Wednesday, 14th May,
1862.

Mr. MORRIS.

QUEBEC:

PRINTED FOR THE CONTRACTORS, BY HUNTER,
ROSE, & LEMIEUX, STE. URSULE STREET.

An Act to render Wills, made in conformity with the laws of either Upper or Lower Canada, effectual to pass Real Estate in the other section of the Province.

WHEREAS, owing to the intimacy of the subsisting relations between Upper and Lower Canada, persons domiciled or temporarily resident in one section of the Province, frequently die possessed of Real Estate in the other section, and greater facilities ought to be afforded for the easier transmission of such property by Will, and a remedy ought to be provided for inconveniences that are of frequent occurrence, arising from the absence of such provisions:

Preamble.

Therefore. Her Majesty, &c., enacts as follows:

1. In case of the death of any person in either Upper or Lower Canada, after the passing of this Act, having regularly and legally made a Will according to the forms and solemnities required to pass Real Estate, (*immeubles*) by the law of that section of the Province in which the Will is made, such Will shall be held and taken to be, and shall be effectual and sufficient to pass Real Estate (*immeubles*) situate in the other section of the Province, in accordance with the true intent and meaning of such Will.
2. Wills made and executed in Lower Canada, in the customary manner, may be registered in Upper Canada in the same manner that other Wills made and executed or published out of Lower Canada, may be registered; and a notarial or other authentic copy of such Will shall, for the purpose of registration thereof, have the same force and effect as a probate of Will now has.

Wills sufficient to pass real estate in the section of the Province where they are made, to be also sufficient in the others.

Registration in U. C. of Wills made in L. C.