

---

## BILL.

### An Act to secure to Married Women certain separate rights of Property.

**W**HEREAS the law of Upper Canada relating to the property of Preamble.  
Married Women is frequently productive of great injustice, and it  
is highly desirable that amendments should be made therein for the bet-  
ter protection of their rights: Therefore, Her Majesty, by and with the  
5 advice and consent of the Legislative Council and Assembly of Canada,  
enacts as follows:

I. Every woman who shall marry after the passing of this Act without Women marry-  
any marriage contract or settlement shall and may, notwithstanding her ing hereafter  
coverture, have, hold and enjoy all her personal property, whether belong- without settle-  
10 ing to her before marriage, or acquired by her after marriage, and also all ments to enjoy  
her personal earnings and any acquisitions therefrom, free from the debts their personal  
and obligations of her husband and from his control or disposition without property free  
her consent, in as full and ample a manner as if she continued sole and from control by  
unmarried, any law, usage or custom to the contrary notwithstanding. husbands.

15 II. Every woman already married without any marriage contract or Women hereto-  
settlement shall and may, from and after the passing of this Act, notwith- fore married  
standing her coverture, have, hold and enjoy all her personal property not without settle-  
20 already reduced into the possession of her husband, whether belonging ments to enjoy  
to her before marriage or acquired by her after marriage, and also all her certain portions  
personal earnings and any acquisitions therefrom not already reduced into of their personal  
the possession of her husband, free from his debts and obligations con- property, &c.,  
30 tracted after the passing of this Act, and from his control or disposition free from control  
without her consent, in as full and ample a manner as if she were sole by husbands.  
and unmarried, any law, usage or custom to the contrary notwithstanding.

25 III. Provided always, that nothing herein contained shall be construed Proviso.  
to protect the property of a married woman from seizure and sale on any  
execution against her husband for her torts; and in such case execution  
shall first be levied on her separate property.

30 IV. The real estate of a married woman shall not, during her life, be Wife's real estate  
subject to execution on any judgment against her husband, on account of not to be liable  
any interest he may have acquired in such real estate as tenant by the by reason of hus-  
curtesy. band's tenancy  
by the curtesy.