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BILL.

An Act to regulate the distribution of the personal effects of Intestates in Upper Canada.

BE it enacted, &c., That from and after the first day of January next, any person who shall die possessed of any personal estate, or of any right or interest therein not lawfully disposed of by his or her last Will and Testament, the same shall be applied and distributed as follows:—

Preamble.

First: The widow, if any, shall be allowed all her articles of apparel or ornament, according to the degree and estate of her husband, and such provisions and other necessaries, for the use of herself and the family under her care, as shall be ordered and allowed by any Court of competent jurisdiction; and this allowance shall be made as well when the widow waives the provisions made for her in the will of her husband, as when he dies intestate.

Allowance to widow in all cases.

Secondly: The personal estate remaining after such allowance, shall be applied to the payments of the debts of the deceased, with the charges of his funeral and of settling his estate.

First charge on the residue.

II. And be it enacted, *thirdly,* That the residue of the personal estate shall be distributed among the same persons who would be entitled to the real estate, and in the same proportion, excepting that alienage in any person claiming a distributive share of the personal estate shall be no impediment to their receiving the same share that they would have been entitled to if they had been a subject; and excepting as is hereinafter provided, that is to say:

How the remainder of such residue shall be distributed

Fourthly: If the intestate were a married woman, her husband shall be entitled to the whole of the said residue of the personal estate:

Fifthly: If the intestate leave a widow and issue, the widow shall be entitled to one-third of the said residue:

Sixthly: If there be no issue, the widow shall be entitled to one-half thereof:

Sevently: If the intestate leave no kindred, the widow shall be entitled to the whole of the said residue: and