

## CHAPTER V. MARRIED WOMEN.

When there is no marriage settlement in Ontario, the separate personal property of a married woman dying intestate is distributed in the same proportions between her husband and her children as the personal property of the husband is divided. If there be no children the property passes wholly to the husband.

The Nova Scotia Act, in addition to the husband's right as tenant by the courtesy, gives him one third of the personal estate and gives the residue to the children. If there be no children the husband is entitled to one-half of the real and personal estate, the father to the other half; and if there be no father then to the mother, brothers and sisters in equal shares, or their representatives; and if no issue, father, mother, brother, or sister, or representatives, then the whole to her husband.

In Quebec, the married woman, as well as the spinster, has at all times had the same power and privilege of making a will as the married man and the celibate. The rights of a married woman in that Province have been long established by Law. It has not been necessary to pass a "Married Woman's Act."

According to the Manitoba Act, the property of a woman dying intestate leaving children, is divided as that of the husband's is, that is, one-third to the surviving parent, and two-thirds to the children. If there be no children, the property passes as if the Act had not been passed.

By the Statute of Distributions, the husband is entitled to the deceased wife's personal estate, if she has made no will with his consent or if no settlement has been made providing to the contrary.