

## CHAPTER IV.

**Dower and Tenancy by Courtesy.**

**Requisites of Dower Are (1) Marriage (2) Seisin of Husband (3) Death of the Husband. Tenancy by Courtesy is the Right of the Husband to the Enjoyment for Life of the Estate of His Wife. Requisites (1) Marriage (2) Seisin of the Wife (3) Issue (4) Death of Wife.**

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**PRINCE EDWARD ISLAND.**

The widow has dower of one-third interest for life in all the lands that the husband owned during marriage, or of which he was the owner in fee simple, and one-third interest for life in all the lands of which he was the equitable owner at the time of his death. C. S. 1871, 22.

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**NEW BRUNSWICK.**

Widow has the common law right of dower. N. B. C. S. 1877, cap. 72.

Married Woman's Property Act, 23 Vic., cap. 24, sec. 4, sub-sec. 4 expressly declares that nothing in the Act shall be taken to prejudice the husband's rights to tenancy by the courtesy in any real estate of the wife.

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**NOVA SCOTIA.**

R. S. 1900, Chap. 114.

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Wife has dower one-third interest in husband's real estate. May elect to take provision in husband's will or dower one-half to third interest in husband's real estate.

When husband dies beneficially entitled to interest in land the widow shall be entitled to dower.

When husband has been entitled to right of entry or action in land widow may sue for dower even though husband did not receive possession.

Wife entitled to dower in surplus proceeds of land sold under mortgage or judgment.

Husband has tenancy by courtesy in wife's estate.