

Married woman having separate property liable to the extent thereof for her debts and contracts before marriage.

V. Every married woman having separate property, whether real or personal, not settled by any ante-nuptial contract, shall be liable upon any separate contract made or debt incurred by her, before marriage, to the extent and value of such separate property, in the same manner as if she were sole and unmarried.

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Husband liable for wife's debts, &c., contracted before marriage to the extent of his interest in her separate property.

VI. Every husband who takes any interest in the separate real or personal property of his wife, under any contract or settlement on marriage, shall be liable upon the contracts made or debts incurred by her before marriage, to the extent or value of such interest only, and no more.

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Married women may make devises or bequests of their separate property.

VII. Every married woman may make any devise or bequest of her separate property, real or personal, or of any rights therein, whether such property be acquired before or after marriage, to or among her child or children issue of any marriage, and failing there being any issue, then to her husband, or as she may see fit, in the same manner as if she were sole and unmarried; Provided that such devise or bequest be executed in the presence of two or more witnesses, neither of whom shall be her husband, and that her husband shall not be deprived by such devise or bequest of any right he may have acquired as tenant by the curtesy.

Provide.

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Married women not liable to arrest.

VIII. A married woman shall not be liable to arrest either on mesne or final process.

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Distribution of separate personal property of married woman dying intestate.

IX. The separate personal property of a married woman dying intestate shall be distributed in the same proportions between her husband and children as the personal property of a husband dying intestate is or shall be distributed between his wife and children: and if there be no child or children living at the death of the wife so dying intestate, then such property shall pass or be distributed as if this Act had not been passed.

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Husband to be made party to action against wife upon her debt or contract before marriage, only if in the Province—what to be alleged in Bill or Declaration—tenor of judgment or decree, &c., &c.

X. In any action or proceeding, at law or in equity, by or against a married woman, upon any contract made or debt incurred by her before marriage, her husband shall be made a party, if within the province, but if absent therefrom, the action or proceeding may go on for or against her alone; and in the declaration, bill or statement of the cause of action, it shall be alleged that such cause of action accrued before marriage, and also that such married woman has separate estate; and the judgment or decree therein, if against such married woman, shall be to recover of her separate estate only, unless in any action or proceeding against her, in which her husband has been joined as a party, any false plea or answer has been pleaded or put in, when the judgment or decree shall be, in addition, to recover against him the costs occasioned by such false plea or answer, as in ordinary cases.

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Ante-nuptial contracts or settlements to be good for what they affect, but beyond that woman to be deemed to have married without.

XI. Nothing in this Act contained shall be construed to prevent any ante-nuptial settlement or contract being made in the same manner and with the same effect as such contract or settlement might be made if this Act had not been passed; but notwithstanding any such contract or

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