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No. 403.

1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

**An Act to secure to Married Women
certain Rights of Property, in certain
cases now unprovided for by Law.**

Received and Read a first time, Wednesday,
18th May, 1853.

Second Reading, Monday, 23rd May, 1853.

HON. MR. MERRITT.

QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

An Act to secure to Married Women certain Rights of Property, in certain cases now unprovided for by Law.

(see also page 345)

Be it enacted, &c., as follows :—

The real and personal property of any female, who may hereafter marry, and which she shall own at the time of her marriage, and the rents, issues and profits thereof, shall not be subject to the disposal of her husband, nor be liable for his debts, and shall continue her sole and separate property, as if she were a single female.

Property of a woman marrying hereafter to remain at her own disposal.

II. The real and personal property, and the rents, issues and profits thereof, of any female now married, shall not be subject to the disposal of her husband, but shall be her sole and separate property, as if she were a single female, except so far as the same may be liable for the debts of her husband heretofore contracted.

Property of a woman married to be at her own disposal, except, &c.

III. It shall be lawful for any married female to receive, by gift, grant, devise or bequest, from any person other than her husband, and hold to her sole and separate use, as if she were a single female, real and personal property, and the rents, issues, and profits thereof, and the same shall not be subject to the disposal of her husband, nor be liable for his debts.

Married Women may receive and hold property, independently of their husbands.

IV. All contracts made between persons in contemplation of marriage shall remain in full force after such marriage takes place; Provided always; that nothing in this Act contained, shall be deemed to authorize any Married Woman to sell, assign, exchange, mortgage or in any manner dispose of any real estate, without being thereto authorized by her husband, nor without her husband being to that effect a party to the Act by which any such real estate or right shall be sold, assigned, mortgaged or otherwise disposed of, by himself or his Attorney specially appointed.

Contracts between persons married thereafter, valid. Proviso.

V. This Act shall apply only to Upper Canada.

Extent of Act.