

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires: Cover title page is bound in as last page in book but filmed as first page on fiche.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below / Ce document est filmé au taux de réduction indiqué ci-dessous.

10x		14x		18x		22x		26x		30x	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	12x		16x		20x		24x		28x		32x

No. 80.

4th Session, 3rd Parliament, 14 Victoria, 1851.

BILL.

**An Act to regulate the distribution of the
Personal Estate of Intestates in Upper
Canada.**

Received and read a first time, Thursday, 5th
June, 1851.

Second reading, Monday, 9th June, 1851.

Mr. BURRITT.

TORONTO: PRINTED BY LOVELL AND GIBSON.

717

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

Eighthly : If there be no husband, widow or kindred of the intestate, the whole shall escheat to the Crown.

How the share of the widow shall be computed where there has been an advancement to a child.

III. And be it enacted, That if the intestate leave a widow and issue, and any of the issue shall have received an advancement from the intestate in his life time, the 5 value of such advancement shall not be taken into consideration in computing the one-third part to be assigned to the widow ; but she shall be entitled to the third part only of the said residue, after deducting the value of such advancement.