

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1858. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1858.

21 Victoria – Chapter 26

An Act to amend the Act relating to Intestate Estates. Passed 6th April 1858.

Section.

1. Distribution of Estates of Intestates.
2. Force of Act limited.

Section.

3. Chap. 111. s. 1. Rev. Stat., repealed.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. When any person shall die intestate, his estate shall be divided equally to and amongst his children or their legal representatives, including in the distribution children of the half blood; and in case there be no children of the intestate, then to the next of kindred in equal degree, and their representatives, but children advanced by settlement or portions not equal to the other shares, shall have so much of the surplusage as shall make the estate of all equal, reserving the widow's right of dower.
2. This Act shall not extend to the estate of any person who may have died before the passing thereof, nor to the estate of any person who at the time of the passing thereof was non compos mentis, and does so continue until his death.
3. Section 1, Chapter 111, Title xxx, of the Revised Statutes, "Of Intestate Estates," is hereby repealed.