

(Hon. Mr. Hall.)

Real Estate Descent.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Real estate to descend and be distributed as</p>	<p>personal estate. Compare Wills Act, 1 Vict. c. 26 s. 6. 3. Devises to be treated as legacies. 4. Real estate of married women.</p>
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A BILL INTITULED

AN ACT to amend the Law relating to the Descent of Real Estate. Title.

WHEREAS it is expedient that the law of real property should, Preamble.
as far as possible, be assimilated to the law of personal property,
and particularly that real estate should go to the executor or adminis-
trator of a deceased proprietor, and be dealt with in like manner as
5 personal estate :

BE IT THEREFORE ENACTED by the General Assembly of
New Zealand in Parliament assembled, and by the authority of the
same, as follows :—

1. This Act shall be intituled and may be cited as “The Real Short Title.
10 Estate Descent Act, 1872.”

2. If any person who shall die after the day of
, 187 , shall at the time of his decease be seised of Real estate to
or possessed or entitled to any real property either at law or in equity descend and be
for any estate or interest which, if he had died intestate, would, on his distributed as per-
15 decease, have gone by descent to his heir or to the heir of the last sonal estate. Com-
purchaser if this Act had not been passed, then such estate or interest, pare Wills Act,
whether or not it may be devised either wholly or in part, with all 1 Vict. c. 26 s. 6.
powers privileges and rights of action attaching or relating thereto,
shall go to the executor or administrator of such person, shall be
20 assets in the hands of such executor or administrator, and shall go and
be dealt with applied and distributed in the same manner as the
personal estate of the testator or intestate.

3. Devisees under the wills of persons dying after the date above Devises to be treated
mentioned shall be satisfied, and in case of a deficiency of assets, shall as legacies.
25 abate according to the same rules and principles of law as legacies.

4. Any estate or interest of any married woman which shall Real estate of
come to her executor or administrator by virtue of this Act, and as to married women.
which she shall die intestate, shall be distributed as if she had died a
widow.