THE LAW RELATING TO THE PROPERTY OF MARRIED PERSONS WITH AN APPENDIX OF STATUTES AND NOTES

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649626540

The Law Relating to the Property of Married Persons with an Appendix of Statutes and Notes by David Murray

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd. Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

DAVID MURRAY

THE LAW RELATING TO THE PROPERTY OF MARRIED PERSONS WITH AN APPENDIX OF STATUTES AND NOTES



LPSO LM2 DDp

THE LAW RELATING TO THE PROPERTY OF MARRIED PERSONS.

PUBLISHED BY

JAMES MACLEHOSE AND SONS, GLASGOW, Publishers to the Unibersity.

MACMILLAN AND CO., LUNDON AND NEW YORK.

London, Simpkin, Marshall, Hamilton,
Kent and Co., Limited.

Cambridge, Macmillan and Bowet.

Edinburgh, Douglas and Foulis.

MDCCCXCI.

THE LAW RELATING TO THE PROPERTY OF MARRIED PERSONS

WITH AN APPENDIX OF STATUTES AND NOTES.

BY

DAVID MURRAY

M.A. HON. M.D. GLASO.
MEMBER OF THE FACULTY OF PROCURATORS IN GLASOOW

GLASGOW

JAMES MACLEHOSE & SONS

Publishers to the University

1891

(8)

PREFACE

THE following work is founded upon a lecture delivered in Glasgow last winter, and this accounts for its form. Its object is to state shortly the effect of marriage upon the property of the spouses, the claims of the children of the marriage and the rights of creditors on the bankruptcy of either of the parents or of the children. The common law is first explained,-to some extent in its historical development,-then the alterations made upon it by statute. particularly by the Married Women's Property Acts, and lastly the usual arrangements which are made by contract in lieu or in supplement of the provisions to which married persons and their children are legally entitled. Chapters II. and III., which treat of the common law, must therefore be read in connection with what follows. To prevent confusion I have given references in the footnotes to the principal statutory changes on the common law, and the index will in general show at a glance both what the law was and what it is.

I have to thank Mr. John A. Spens and Mr. George Guthrie for their kindness in reading the proof sheets and for many valuable suggestions.

DAVID MURRAY.

169 West George Street, Glasgow, 31st January, 1891.

8 8 85%

TABLE OF CONTENTS.

										PAGE
TABLE OF CASE	8,	<u>20</u>	83		2	3			29	x
			(%)							
			CHAR	TER	I.					
Introductory,		•	557	•		8	•	•		1
			Снар	TER	IL.					
The effect of man according to t							the -	spou	ses -	7
			CHAP	TER .	III.					
The disposition of common law n										
by the death of	f eit	her s	pouse,			•		•		26
Moveable Estate,		*	(c) (c)	*3		* 1	*			31
Heritable Estate,	100	*	170	50		•	12	853	Ð	38
			Снар	TER	IV.					
The modifications common law property dur	right ing t	a of	husb	and	and	wife	in re	spect	of	700
its dissolution			17 5 5		- E			1.7	1	44
The Intestate Mor			ocess10	n Ac	t, 18	00,-	200	- 30	Š	44
The Conjugal Rig.		355C (1.8)		a .		100			*	45
The Married Won								. 100		54
Married Women's								L, 188	5U, -	61
The Married Won	ien's	rrol	perty (ocot.	and)	Act,	1881,	100	100	60