

- (ii) bicycles, stables, horses and domestic animals; and
 - (iii) motor vehicles and accessories therefor; but not including—
 - (iv) furniture, motor vehicles or other effects, used at the time of the death of the intestate exclusively or principally for business purposes; or
 - (v) money or securities for money;
- (d) “spouse” includes—
- (i) a single woman who has lived and cohabited with a single man as if she were in law his wife for a period of not less than five years immediately preceding the date of his death; and
 - (ii) a single man who has lived and cohabited with a single woman as if he were in law her husband for a period of not less than five years immediately preceding the date of her death;
- (e) “single woman” and single man” used with reference to the definition of “spouse” include a widow or widower, as the case may be, or a divorcee.

(2) Where for the purposes of this Act a person who is a single woman or a single man may be regarded as a spouse of an intestate then, as respects such intestate, only one such person shall be so regarded.

PART I. *Distribution of Estates of Intestates*

3.—(1) With regard to the real estate and personal inheritance of every person dying after the 1st June, 1937, there shall be abolished—

3/1988
S. 2 (b).

Abolition of descent to heir, curtesy, dower and escheat.

- (a) all existing modes, rules and canons of descent, and of devolution by special occupancy or otherwise, of real estate, or of a personal inheritance, whether operating by the general law, or otherwise howsoever; and
- (b) tenancy by the curtesy and every other estate and interest of a husband in real estate as to which his wife dies intestate, whether arising under the general law or otherwise howsoever; and
- (c) dower and every other estate and interest of a wife in real estate as to which her husband dies intestate, whether arising under the general law or otherwise howsoever; and
- (d) escheat to the Crown.

(2) Nothing in this section affects the descent or devolution of an entailed interest.

4.—(1) The residuary estate of an intestate shall be distributed in the manner or held on the trusts specified in the following Table of Distribution—

Succession to real and personal estate on intestacy. 3/1988 S. 3.

Table of Distribution

Item 1. *The Surviving Spouse:*

The surviving spouse of the intestate shall take—

- (a) the personal chattels absolutely;
- (b) ten thousand dollars or a sum equal to ten per cent of the net value of the estate (excluding personal chattels), whichever is greater, free of death duties and costs;
- (c) interest at the rate of ten per cent per annum, or such other rate as may be fixed pursuant to subsection (4), on the sum payable under paragraph (b) until the sum is paid or appropriated; and