

Wills by
married wo-
men, when
good.

By the 34 and 35 Hen. 8, cap. 5, it is enacted, that wills of lands by married women shall not be good.

A wife generally, cannot dispose by will of chattels, without the consent of her husband. Her will made before marriage, becomes void on marriage, if she even survives her husband; but with the husband's consent, a married woman may make a will; so of savings out of pin money, or separate maintenance, she may make a will in effect; and tho' a married woman cannot *strictly* make a will, yet she may an appointment; and if the husband enter into bond, or covenant before marriage to permit his wife to make a will, he shall be bound thereby. Swin. 88, 89, 94, 95—Viner, Baron & Feme—R. a. 16—1 Vern. 244—1 Mod. 211—Law of test. 37.

It is said if a married woman be the executrix of another, and have chattels, as such she may make a will, to continue the executorship without the husband's consent. Swin. 89—Law of test. 34—But she cannot bequeath the chattels without making an executor, or to any other person than the executor; nor can she dispose by will of any bequest to her as a legatee; for that belongs to her husband, being accepted by her