

ANNO TERTIO

# GEORGII V REGIS.

A.D. 1912.

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## No. 1084.

An Act to amend the "Married Women's Property Act, 1883-4"

[Assented to, November 14th, 1912.]

**B**E it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

**1.** This Act may be cited as the "Married Women's Property Act Amendment Act, 1912." Short title.

**2.** Notwithstanding anything to the contrary contained in the "Married Women's Property Act, 1883-4," a husband shall not be joined with his wife in any action for any tort of his wife, nor shall he be liable for such tort. Husband not liable for wife's tort.

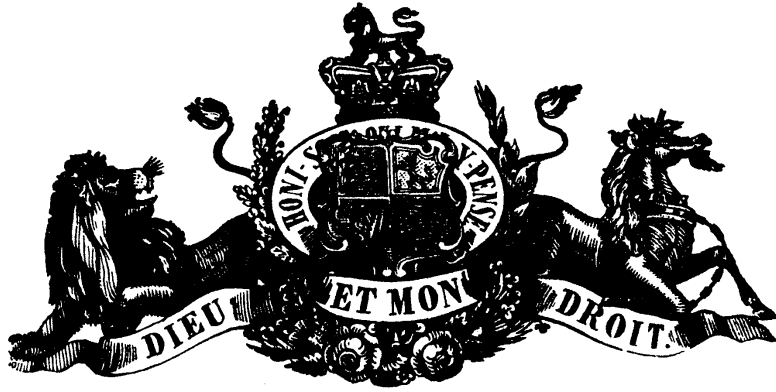
**3.** The last proviso contained in section 14 of the "Married Women's Property Act, 1883-4," is hereby repealed. Amendment of section 14 of Act No. 300 of 1883-4.

**4.** (1) Notwithstanding that a married woman is restrained from anticipation, the Supreme Court or a Judge thereof may, where it appears to be for her benefit, by judgment or order, with her consent, bind her interest in any property. Power for Court to bind interest of married women. Cf. English Conveyancing and Law of Property Act, 1881, sec. 39.

(2) An order under this section may be obtained on originating summons.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

DAY H. BOSANQUET, Governor.



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## No. 1085.

An Act to Revest certain Lands in the Hundred of Wallaroo in the Crown, to Validate certain Leases thereof and other Dealings, and for other purposes.

*[Assented to, November 14th, 1912.]*

**W**HEREAS, on or about the fifteenth day of March, eighteen hundred and seventy-eight, the lands mentioned in the Schedule to this Act (hereinafter called "the said lands") became vested in the Commissioner of Railways, pursuant to a sale and transfer by the Kadina and Wallaroo Railway and Pier Company, Limited, under section 14 of the Act No. 76 of 1877: And whereas by virtue of "The South Australian Railways Commissioners Act, 1887," the said lands became vested in the South Australian Railways Commissioners, and by virtue of "The South Australian Railways Commissioners Act Amendment Act, 1894," the said lands became vested in the South Australian Railways Commissioner: And whereas whilst the said lands were vested in the said Railways Commissioners or Commissioner leases in perpetuity over portions thereof were granted by the said Railways Commissioners or Commissioner, and leases in perpetuity over other portions thereof were granted by or on behalf of the Crown: And whereas the leases so granted by the said Railways Commissioners or Commissioner were and are invalid because the Railways Commissioner had not power to grant leases in perpetuity: And whereas the said leases so granted by or on behalf of the Crown were and are invalid because not granted by the registered proprietor thereof under "The Real Property Act, 1886," and also because the lands being vested in the said Railways Commissioners or Commissioner there was no power

Preamble.

No. 414 of 1887.

No. 612 of 1894.

No. 380 of 1886.

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power to grant leases thereof in perpetuity: And whereas advances out of the Blockholders Loan Fund have been made under "The Blockholders Loans Act," or under Division VI. of Part IX. of "The Crown Lands Act, 1903," to the lessees under certain of the said leases, and such advances could not lawfully be made except to lessees from the Crown: And whereas it is desirable to vest the said lands in the Crown, and also to validate the said leases and advances—Be it therefore Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

No. 515 of 1891.

No. 830 of 1903.

Short title.

**1.** This Act may be cited as "The Wallaroo Railway Lands Act, 1912."

Lands revested in the Crown.

**2.** All the said lands are hereby, from the passing of this Act, absolutely vested in the Crown as Crown lands for all purposes, subject, nevertheless, to all leases over the said lands or any of them which have been granted by the said Railways Commissioners or Commissioner or by or on behalf of the Crown and are now existing.

Leases deemed to have been granted by the Railways Commissioner and validated.

**3.** (1) The leases granted as aforesaid by or on behalf of the Crown shall, as regards all matters arising or existing and all things done before the passing of this Act, except the matters and things mentioned in section 5 hereof, be deemed to have been granted by the said Railways Commissioners or Commissioner.

(2) The leases granted as aforesaid by the said Railways Commissioners or Commissioner, and the leases hereby deemed to have been granted by them or him, and (subject to section 5 hereof) all matters and things heretofore arising, existing, or done since the granting thereof respectively, shall be as valid and be deemed to have been as valid as if the said Railways Commissioners or Commissioner (as the case may be) had at the time power to grant leases in perpetuity.

Leases hereafter deemed to be Crown leases.

**4.** From the passing of this Act all the leases granted as aforesaid, whether by or on behalf of the Crown or by the said Railways Commissioners or Commissioner, shall be deemed to be leases granted by the Crown.

Advances validated.

**5.** Any advances under "The Blockholders Loans Act" or under Division VI. of Part IX. of "The Crown Lands Act, 1903," made to the lessees under any of the said leases, and all matters and things arising, existing, or done in connection with such advances, shall be as valid and be deemed to have been as valid as if such leases had been perpetual leases from the Crown under Part VII. of "The Crown Lands Act, 1888," or Part IX. of "The Crown Lands Act, 1903."

No. 444 of 1888.

No. 830 of 1903.

Certificate of title to be cancelled and other

**6.** (1) The Registrar-General of Deeds shall cancel the certificate of title of the said lands and the duplicate thereof by making an entry

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or indorsement thereon as follows:—"Cancelled, the within land having been acquired by the Crown," and shall sign such indorsement. Thereafter the said lands shall, for the purposes of "The Real Property Act, 1886," and until again alienated from the Crown, be dealt with and regarded in all respects as if they had never been alienated from the Crown.

necessary entries to  
be made in Register  
Book.

No. 380 of 1886.

(2) The said Railways Commissioner shall deliver the duplicate certificate of title of the said lands to the said Registrar-General for the purposes of subsection (1) of this section.

(3) The Registrar-General of Deeds shall make any other entry in any Register Book which may be necessary or proper to evidence the vesting of the said lands in the Crown, and shall also make any other entries in any Register Books, and also on any leases and other instruments, which may be necessary or proper for giving effect to the provisions of this Act.

In the name and on behalf of His Majesty, I hereby assent to  
this Bill.

DAY H. BOSANQUET, Governor.

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THE SCHEDULE.  

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Those pieces of land situated in the hundred of Wallaroo, county of Daly, being sections 336, containing 46 acres or thereabouts; 338, containing 81 acres or thereabouts; 341, containing 55 acres or thereabouts; 343, containing 34 acres or thereabouts; 344, containing 30 acres or thereabouts; and portions of section 337, containing together 137 acres 3 roods and 12 perches or thereabouts; which said pieces of land are more particularly delineated and bounded as appears in the plan indorsed on certificate of title, registered in the Lands Titles Registration Office at Adelaide, volume 753, folio 17, and thereon margined green, and are portion of the lands comprised in the said certificate, and are portion of the lands formerly comprised in the certificate of title, since cancelled, volume CCLXXV., folio 126.