

Hon. Mr. Waterhouse.

GUARDIANSHIP OF INFANTS.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Law relating to the Guardianship and Custody of Infants. Title.

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

1. The Short Title of this Act is "The Guardianship of Infants Act, 1884." Short Title.

2. On the death of the father of an infant, his widow shall be its legal guardian: Provided that, where any infant shall, on the death of its father before the death of its mother, become entitled to any real or personal estate, any guardian appointed by the will of its father shall be a guardian of the estate of such infant jointly with its mother. Widow to be guardian of infant.

3. A wife may, at any time after the happening of any of the events hereinafter mentioned, apply to a Resident Magistrate's Court or a Court of Petty Sessions for an order vesting in her the sole guardianship of her infants in any of the following cases:— Cases in which a wife may obtain the sole guardianship of her infants.

(1.) When she is deserted by her husband without reasonable cause;

(2.) When she is subjected by her husband to cruelty;

(3.) When her husband is guilty of living in open adultery;

(4.) When her husband is guilty of habitual drunkenness;

(5.) When her husband habitually fails to provide a maintenance for his wife or infants, without such failure being caused by sickness or other adequate cause.

4. The Court, if satisfied of the facts of the case, may make and give to the wife an order vesting in her the sole guardianship and custody of the infants. Court to make order.

5. In the case of any orphan or infant abandoned by its parents, in the charge of any benevolent or other society recognized by the Government as a suitable institution for taking charge of such infants, the manager of such society or institution shall, so long as such infant is in charge thereof, be its legal guardian. In case of abandonment of infant.