

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
18th July, 1894.*

Hon. Sir P. A. Buckley.

MARRIED WOMEN'S PROPERTY.

ANALYSIS.

- | | |
|---|---|
| Title.
1. Short Title.
2. Effect of contracts by married women. | 3. Costs may be ordered to be paid out of property subject to restraint on anticipation.
4. Will of married woman.
5. Repeal. |
|---|---|

A BILL INTITULED

AN ACT to amend "The Married Women's Property Act, 1884." 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 Married Women's Property Act, 1894." Short Title.

2. Every contract hereafter entered into by a married woman, otherwise than as an agent,— Effect of contracts by married women. 56 and 57 Vict., c. 63, s. 1.

10 (1.) Shall be deemed to be a contract entered into by her with respect to and to bind her separate property, whether she is or is not in fact possessed of or entitled to any separate property at the time when she enters into such contract;

15 (2.) Shall bind all separate property which she may at that time or thereafter be possessed of or entitled to; and

(3.) Shall also be enforceable by process of law against all property which she may thereafter while discoverd be possessed of or entitled to:

20 Provided that in any action or other proceeding the onus shall be on the married woman of showing that she has no separate property:

25 Provided also that nothing in this section contained shall render available to satisfy any liability or obligation arising out of such contract any separate property which at that time or thereafter she is restrained from anticipating.

30 3. In any action or proceeding now or hereafter instituted by a woman, or by a next friend on her behalf, the Court before which such action or proceeding is pending shall have jurisdiction by judgment or order from time to time to order payment of the costs of the opposite party out of property which is subject to a restraint on Costs may be ordered to be paid out of property subject to restraint on anticipation. Ib. s. 2.

anticipation, and may enforce such payment by the appointment of a Receiver, and the sale of the property, or otherwise as may be just.

Will of married
woman.
56 and 57 Vict., c. 63,
s. 3.

4. Section twenty-four of the Imperial Act shortly intituled "The Wills Act, 1837," shall apply to the will of a married woman made during coverture, whether she is or is not possessed of or 5 entitled to any separate property at the time of making it; and such will shall not require to be re-executed or republished after the death of her husband.

Repeal.

5. Subsections three and four of section three of "The Married Women's Property Act, 1884," are hereby repealed.

10