



ANNO SEXAGESIMO PRIMO ET SEXAGESIMO
SECUNDO

VICTORIÆ REGINÆ.

A.D. 1898.

No. 701.

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

[Assented to, December 23rd, 1898.]

BE it Enacted by the Governor, with the advice and consent
of the Parliament of South Australia, as follows:

1. This Act may be cited as "The Married Woman's Property
Amendment Act, 1898," and shall be incorporated with the "Married
Women's Property Act, 1883-4."

Short title and
incorporation.

i.e. after 23/12/98.

2. Every contract hereafter entered into by a married woman
otherwise than as agent—

Contracts by married
women.

(a) 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:

(b) Shall bind all separate property which she may at that time
or thereafter be possessed of or entitled to: and

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

Provided 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 the married
woman is restrained from anticipating: Provided also that in all

The Married Woman's Property Amendment Act.—1898.

cases the onus shall be on the married woman of showing that she has no separate property.

Will of married woman.

3. Every will shall be construed with reference to the real estate and personal estate comprised in it to speak and take effect as if it had been executed immediately before the death of the testator, unless a contrary intention shall appear by the will, and shall equally apply to the will of a married woman made during coverture, whether she is or is not possessed of or 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.

4. Sub-section (3) of section 1 of the "Married Women's Property Act, 1883-4," is hereby repealed.

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

S. J. WAY, Lieutenant-Governor.