

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

House of Representatives,

25th August, 1943

Mrs. Stewart

MORRIS DIVORCE AND MARRIAGE VALIDATION

[PRIVATE BILL]

ANALYSIS

Title.	4. Restoration of claim under Deaths by Accidents Compensation Act, 1908, for benefit of widow.
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A BILL INTITULED

- AN ACT to dissolve as from the Twenty-fourth Day of December, Nineteen hundred and twelve, the Marriage of Ida Mildred Morris and Percy Campbell Parker Morris, formerly of Wellington and Motueka, in the Dominion of New Zealand, and to validate the Marriage of the said Percy Campbell Parker Morris and Victoria Alicia Ramsay, formerly of Wellington, Spinster. Title.
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- 10 WHEREAS on the twenty-fourth day of September, nineteen hundred and twelve, a decree *nisi* for the dissolution of the marriage of Ida Mildred Morris and Percy Campbell Parker Morris was made in the Supreme Court at Masterton in the Dominion of New Zealand: And whereas no application for the issue of a decree absolute was made, and a decree absolute for the dissolution of the said marriage was never issued: And whereas on the sixth day of July, nineteen hundred and sixteen, the said Percy Campbell Parker Morris, Preamble.

believing that his marriage had been legally dissolved, went through the form of marriage, at the office of the Registrar of Marriages at Wellington, with Victoria Alicia Ramsay, of Wellington, Spinster: And whereas on the twenty-ninth day of February, nineteen hundred and thirty-six, the said Percy Campbell Parker Morris was killed as the result of an accident that may have given the right to an action for damages under the Deaths by Accidents Compensation Act, 1908, for the benefit of his widow if he had been lawfully married to the said Victoria Alicia Ramsay: And whereas it is desirable that the former marriage of the said Percy Campbell Parker Morris should be deemed to have been effectively dissolved on the twenty-fourth day of December, nineteen hundred and twelve (being three months after the date of the decree *nisi* hereinbefore referred to), and that his marriage to the said Victoria Alicia Ramsay on the sixth day of July, nineteen hundred and sixteen, should be validated:

See Reprint of Statutes, Vol. VI, p. 427

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

Short Title.

1. This Act may be cited as the Morris Divorce and Marriage Validation Act, 1943.

Dissolution of former marriage.

2. The marriage of Percy Campbell Parker Morris to Ida Mildred Morris, the parties referred to in a decree *nisi* of divorce granted in the Supreme Court at Masterton on the twenty-fourth day of September, nineteen hundred and twelve, shall be deemed to have been dissolved on the twenty-fourth day of December, nineteen hundred and twelve.

Validation of remarriage.

3. The said Percy Campbell Parker Morris shall be deemed to have been lawfully married to Victoria Alicia Ramsay on the sixth day of July, nineteen hundred and sixteen.

Restoration of claim under Deaths by Accidents Compensation Act, 1908, for benefit of widow.

4. (1) Notwithstanding anything to the contrary in the Deaths by Accidents Compensation Act, 1908, an action for the recovery of damages in respect of the death of the said Percy Campbell Parker Morris may be commenced under that Act at any time within twelve months after the passing of this Act.

Ibid., p. 427

(2) In determining the amount of the damages (if any) recoverable in any such action the amount shall in the first instance be computed as if no action had,

before the passing of this Act, been commenced or taken under the said Act in respect of the death of the said Percy Campbell Parker Morris. From the amount of the damages so computed there shall be deducted the
5 sum of four hundred pounds (being the amount paid for the benefit of the children of the said Percy Campbell Parker Morris pursuant to a compromise between the parties of a right of action under the said Act in respect of his death) and the balance, which shall be
10 deemed to be for the sole benefit of the widow, shall be the amount of the damages awarded in the action.

5. This Act shall be deemed to be a private Act. Private Act.