

[AS REPORTED FROM THE JOINT STATUTES REVISION COMMITTEE,  
19TH JULY, 1900.]

Mr. McNab.

TESTATOR'S FAMILY MAINTENANCE.

ANALYSIS.

Title.  
1. Short Title.

2. Deceased person's estate liable for maintenance of wife, husband, or children.  
3. Estate to be held subject to order.

A BILL INTITULED

AN ACT to insure Provision for Testators' Families.

Title.

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

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1. The Short Title of this Act is "The Testator's Family Maintenance Act, 1900."

Short Title.

2. Should any person die, leaving a will, and without making therein ~~due~~ *adequate* provision for the *proper* maintenance and support of his or her wife, husband, or children, the Court may at its discretion on the application *by or on behalf* of the said wife, husband, or children, ~~if satisfied that the said wife, husband, or children is or are without means sufficient for their maintenance and support~~ order that such provision as to the said Court shall seem fit shall be made out of the estate of the said deceased person for ~~the maintenance and support of his or her said~~ *such* wife, husband, or children: Provided that the Court may *attach such conditions to the order made as it shall think fit, or may* refuse to make an order in favour of any person whose character or conduct is such as in the opinion of the Court to disentitle him or her to the benefit of an order under this section. "Court" means the Supreme Court or ~~District Court, any Judge thereof,~~ and, in the case of deceased Maoris, the Native Land Court.

Deceased person's estate liable for maintenance of wife, husband, or children.

3. Upon such order being made as aforesaid, the executor or administrator shall hold the portion of the estate comprised therein ~~freed and discharged from the trusts and dispositions of the said will, and subject only~~ to the provisions of the said order.

Estate to be held subject to order.