

This PUBLIC 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,
5th September, 1900.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. McNab.

TESTATOR'S FAMILY MAINTENANCE.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Deceased person's estate liable for maintenance of wife, husband, or children.</p>	<p>3. Estate to be held subject to order.</p> <p>4. Limit of time for making applications under this Act.</p> <p>5. Orders made under this Act not to be mortgaged or assigned.</p>
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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:—

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 adequate provision for the proper maintenance and support of his or her wife, husband, or children, the Court may at its discretion, on application by or on behalf of the said wife, husband, or children, 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 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 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 shall be held subject to the provisions of the said order.

Estate to be held subject to order.

4. No application shall be heard by the Court unless such application as aforesaid shall be made within ~~twelve~~ six months from the date of the grant of probate of such will.

Limit of time for making applications under this Act.

5. No mortgage, charge, or assignment of any kind whatsoever of or over such provision made before such order is made shall be of any force, validity, or effect.

Orders made under this Act not to be mortgaged or assigned.