

TRINIDAD AND TOBAGO.

No. 50.—1908.

21st December.

AN ORDINANCE to amend the Married Women's Property Ordinance, No. 65.

[L.S.]

S. W. KNAGGS,

ACTING GOVERNOR.

26th December, 1908.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Married Women's Property Ordinance 1908. It shall be read as one with the Married Women's Property Ordinance No. 65 and the Married Women's Property Ordinance 1907 (1—1907.)

Short title.
Construction.

2.—(1.) A married woman is able, without her husband, to disclaim, to dispose of, or to join in disposing of, real or personal property held by her solely or jointly with any other person as trustee or personal representative in like manner as if she were a *femme sole*.

Dispositions of
trust estates
by married
women.

(2.) This Section operates to render valid and confirm all such disclaimers and dispositions made after the thirty-first day of December 1884, whether before or after the com-

mencement of this Ordinance, but, where any title or right has been acquired through or with the concurrence of the husband before the commencement of this Ordinance, that title or right shall prevail over any title or right which would otherwise be rendered valid by this section.

Settlements of a married woman's separate property.

3.—(1.) Notwithstanding Section 22 of the Married Women's Property Ordinance No. 65, a settlement or agreement for a settlement made after the commencement of this Ordinance by the husband or intended husband, whether before or after marriage, respecting the property of any woman he may marry or have married, shall not be valid unless it is executed by her if she is of full age, or confirmed by her after she attains full age.

(2.) But if she dies an infant, any covenant or disposition by her husband contained in the settlement or agreement shall bind or pass any interest in any property of hers to which he may become entitled on her death and which he could have bound or disposed of if this Ordinance had not been passed.

(3.) Nothing in this Section shall render invalid any settlement or agreement for a settlement made or to be made under the provisions of the Infants' Settlements Ordinance No. 79.

Married woman entitled to prior estate to be protector of settlement alone.

4.—(1.) Where a married woman would, if single, be the protector of a settlement in respect of a prior estate, which is by virtue of the Married Women's Property Ordinance No. 65, made her separate property, then she alone shall, in respect of that estate, be the protector of the settlement.

(2.) This Section applies to disenthailing assurances and surrenders made after the thirty-first day of December 1884, and as well before as after the commencement of this Ordinance.

Repeal.

5. The words "shall be made conformably to the provisions of the Married Women's Deeds Ordinance relative to dispositions by married women" in Section 7 of the Ordinance No. 94 are hereby repealed, and in lieu thereof shall be read the following:—

"of any such interest or right accruing before the first day of January 1885 shall be made conformably to the provisions of the Married

“ Women’s Deeds Ordinance (No. 98) relative
“ to dispositions by married women, and in every
“ other case conformably to the provisions of the
“ Married Women’s Property Ordinance No. 65.”

Passed in Council this Twenty-first day of December, in
the year of Our Lord one thousand nine hundred and eight.

ALFRED TAITT,
Acting Clerk of the Council.
