

3.—(1) Subject to the provisions of this Ordinance all property which— Property of married women.

- (a) immediately before the first day of January, 1937, was the separate property of a married woman or held for her separate use in equity ; or
 - (b) belongs at the time of her marriage to a woman married on or after the first day of January, 1937; or
 - (c) on or after the first day of January, 1937, is acquired by or devolves upon a married woman,
- shall belong to her in all respects as if she were a *feme sole* and may be disposed of accordingly :

Provided that nothing in this sub-section shall interfere with or render inoperative any restriction upon anticipation or alienation attached to the enjoyment of any property by virtue of any provision attaching such a restriction, contained in any Ordinance passed before the first day of January, 1937, or in any instrument executed before the thirty-first day of March, 1937.

(2) Any instrument executed on or after the thirty-first day of March, 1937, shall, in so far as it purports to attach to the enjoyment of any property by a woman any restriction upon anticipation or alienation which could not have been attached to the enjoyment of that property by a man, be void.

(3) For the purposes of the provisions of this section relating to restrictions upon anticipation or alienation —

(a) an instrument attaching such a restriction as aforesaid executed on or after the thirty-first day of March, 1937, in pursuance of an obligation imposed before that date to attach such a restriction shall be deemed to have been executed before the said thirty-first day of March, 1937 ;

(b) a provision contained in an instrument made in exercise of a special power of appointment shall be deemed to be contained in that instrument only and not in the instrument by which the power was created ; and

6.—(1) A married woman is able to acquire as well from her husband as from any other person, and hold, any interest in property real or personal either solely or jointly with any other person (whether or not including her husband) as a trustee or personal representative, in like manner as if she were a *feme sole*; and no interest in such property shall vest or be deemed to have vested in the husband by reason only of the acquisition by his wife.

Acquisitions and dispositions of trust estates by married women.

(2) A married woman is able, without her husband, to dispose of, or to join in disposing of, any interest in real or personal property held by her solely or jointly with any other person (whether or not including her husband) as trustee or personal representative, in like manner as if she were a *feme sole*.

(3) This section applies to a woman married after the thirty-first day of December, 1884, and to a woman married before the first day of January, 1885, who became a trustee or personal representative on or after that date.

(4) This section operates to render valid and confirm all such acquisitions and dispositions made after the 31st day of December, 1884, whether before or after the first day of January, 1937, but where any title or right has been acquired through or with the concurrence of the husband before the twenty-sixth day of December, 1908, that title or right shall prevail over any title or right which would otherwise be rendered valid by this section.

(5) This section does not prejudicially affect any beneficial interest of the husband of any such woman.

7. A husband and wife shall, for all purposes of acquisition of any interest in property, under a disposition made or coming into operation on or after the first day of January, 1937, be treated as two persons.

Undivided shares and joint ownership.

8. Subject to the provisions of this Ordinance, the husband of a married woman shall not, by reason only of his being her husband, be liable—

Abolition of husband's liability for wife's torts and ante-nuptial contracts, debts and obligations.

(a) in respect of any tort committed by her whether before or after the marriage, or in respect of any contract entered into, or debt or obligation incurred, by her before the marriage; or

(b) to be sued, or made a party to any legal proceeding brought, in respect of any such tort, contract, debt, or obligation.

- (d) prevents the exercise of any joint power given to a husband and wife;
- (e) exempts any married woman from liability under the bankruptcy laws in respect of any contract entered into, or debt or obligation incurred, by her before the first day of January, 1937, in relation to any trade or business carried on by her, and in respect of which she would have been so liable if this Ordinance had not been passed.

10.—(1) The enactments mentioned in the first column of the First Schedule to this Ordinance shall have effect subject to the amendments specified in the second column of that Schedule. Consequential amendments and repeals.

(2) The enactments mentioned in the first column of the Second Schedule to this Ordinance are hereby repealed to the extent specified in the second column of that Schedule.

SCHEDULES.

FIRST SCHEDULE.

Consequential amendments effected by the Ordinance.

SHORT TITLE OF ENACTMENTS.	AMENDMENTS.
The Larceny Ordinance, Cap. 9.	In sub-section (1) of section 37 for the words "separate property as if such property belonged to her as" there shall be substituted the words "property as if she were".
The Partition Ordinance, Cap. 51.	In Section 12 for the words "a married woman" in the 3rd line there shall be substituted the word "an", and in the marginal note the words "married woman" shall be deleted.

SECOND SCHEDULE.—*Continued.*

SHORT TITLE OF ENACTMENTS.	EXTENT OF REPEAL.
The Married Women's Property Ordinance, Cap. 53.	<p>Sections 3 to 7, the whole inclusive.</p> <p>In Section 8, sub-section (1) the words "which is by virtue of this Ordinance, made her separate property".</p> <p>In Section 9 the word "separate" in the 10th line and in the marginal note; and the words "for her separate use" in the 15th and 16th lines.</p> <p>In Section 10 the word "separate" in the 10th line and in the marginal note, and the words from "whether the same" in the 12th line to "recorded, or not" inclusive in the 15th line.</p> <p>In Section 14 the words "by virtue of the power of making contracts hereinbefore contained" in the 1st and 2nd lines.</p> <p>In Section 15 the word "separate" in the 7th line and in the marginal note.</p> <p>In Section 16 the words "in respect and to the extent of her separate property" in the 2nd line, and the words from "and all sums recovered" in the 11th line to "recovered in respect thereof" inclusive in the 17th line.</p> <p>Sections 17 and 18, the whole.</p> <p>In Section 24 the word "separate".</p>
The Married Women's Deeds Ordinance, Cap. 54.	The whole.
Petty Civil Courts Ordinance, Cap. 64.	In Section 18 the first sentence beginning with the word "Subject" in the 1st line and ending with the word "require" in the 5th line; and in the marginal note the words and figures "Married women and" "Cap. 53."
The Real Property Ordinance, Cap. 160.	In Section 9 the following—"nor from a married woman, unless her husband shall join in such application, or unless such application be in respect of her separate property or in respect of property her title to which has accrued under the Married Women's Property Ordinance"; and the marginal note—"Cap. 53."