

New South Wales.



ANNO QUADRAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. XXXV.

MATRIMONIAL
CAUSES ACT
AMENDMENT.

Preamble.

An Act to amend the Law relating to Divorce and Matrimonial Causes. [Reserved—28th November, 1879.]

WHEREAS it is expedient to amend the Law relating to Divorce and Matrimonial Causes and to confer the same rights and privileges in the matter of Divorce on women as are now held and enjoyed by men Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Marriage may be dissolved at suit of wife for husband's adultery.

Court may pronounce decree on proof of adultery.

Short title.

1. On and after the passing of this Act it shall be lawful for any wife to present a petition to the Court praying that her marriage may be dissolved on the ground that since the celebration thereof her husband has been guilty of adultery any Act or law to the contrary notwithstanding And every such petition shall state as distinctly as the nature of the case permits the facts on which the claim to have such marriage dissolved is founded.

2. In case the Court shall be satisfied on the evidence that the case of the petitioner has been proved the Court shall then pronounce a decree declaring such marriage to be dissolved Provided that the Court shall not be bound to pronounce such decree if it shall find that the petitioner has during the marriage been guilty of adultery or if the petitioner shall in the opinion of the Court have been guilty of unreasonable delay in presenting or prosecuting such petition or of having deserted or wilfully separated herself from her husband before the adultery complained of or of such wilful neglect collusion or misconduct as has conduced to the adultery.

3. This Act may be cited as the "Matrimonial Causes Act Amendment Act."