

# BILL

No. 39 of 1915.

The Married Woman's Home Protection Act.

(Assented to \_\_\_\_\_, 1915.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. Any married woman may cause to be filed on her behalf with the registrar an instrument to be known as a married woman's caveat in form WW in the schedule to this Act against the registration of any transfer, mortgage, encumbrance, lease or other instrument made by or on behalf of her husband affecting a homestead as defined in section 2 of this Act.

2. "Homestead" in this Act shall mean the house and buildings occupied by such married woman as her home at the time of the filing of such caveat, or which has been occupied by such married woman as her home within two months prior to the time of the filing of such caveat and the lands, premises and appurtenances thereto occupied thereby or enjoyed therewith.

3. Upon the receipt of such married woman's caveat the registrar shall take the same proceedings as in the case of the filing of any other caveat under this Act.

4. So long as such caveat remains in force the registrar shall not register any transfer, mortgage, encumbrance, lease or other instrument made by or on behalf of the husband purporting to affect the land in respect to which the caveat is filed.

5. No fee shall be charged for the registration of any married woman's caveat.

6. The caveator may by notice in writing to the registrar withdraw her caveat at any time and the registrar shall forthwith give notice in writing of such withdrawal by mail or otherwise to the caveatee.

7. The husband against whose land any such caveat has been filed may at any time thereafter apply to a judge of the Supreme Court of Alberta by originating notice, which shall be served upon the caveator, to remove the married woman's caveat so filed, and upon the hearing of such application the judge to whom the application is made may make such order in the premises as to such judge may seem just.

8. This Act shall be read with and as part of *The Land Titles Act*.

FORM WW.

To the Registrar for.....

Take notice that I,....., the wife of....., the owner of a homestead within the meaning of section 2 of *The Married Woman's Home Protection Act* described as follows: (*describe land by lot and plan or section number*); and I forbid the registration or any transfer, mortgage, encumbrance, lease or other instrument made by or on behalf of my said husband affecting the said homestead.

I appoint..... as the place at which notices and proceedings relating hereto may be served.

Dated this..... day of....., 19.....

.....  
(*Signature of Caveator or her Agent.*)

No. 39

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THIRD SESSION  
THIRD LEGISLATURE  
5 GEORGE V  
1915

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BILL

The Married Woman's Home Protection Act.

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Received and read the

First time .. . . .

Second time .. . . .

Third time .. . . .

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HON. MR. CROSS.

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EDMONTON:  
J. W. JEFFERY, Government Printer  
A. D. 1915.