

**Proviso.** the discharge thereof; Provided also, that if the husband, or any creditor of or person claiming under the husband, shall seize or continue to hold any property of the wife, after notice of such order, he shall be liable, at the suit of the wife, (which she is hereby empowered to bring,) to restore the specific property, and also a sum equal to double the value of the property so seized or held after such notice as aforesaid: If any such order of protection be made, the wife shall, during the continuance thereof, be and be deemed to have been, during such desertion of her, in the like position in all respects, with regard to property and contracts, and suing and be sued, as she would be under this Act if she obtained a decree of Judicial Separation. 5 10

**Decree of Separation may be reversed on certain grounds, and how.** XVIII. Any husband or wife, upon the application of whose wife or husband, as the case may be, a decree of Judicial Separation has been pronounced, may, at any time thereafter, present a petition to the Court praying for a reversal of such decree, on the ground that it was obtained in his or her absence, and that there was reasonable ground for the alleged desertion, where desertion was the ground of such decree; and the Court may, on being satisfied of the truth of the allegations of such petition, reverse the decree accordingly, but the reversal thereof shall not prejudice or affect the rights or remedies which any other person would have had in case such reversal had not been decreed, in respect of any debts, contracts or acts of the wife, incurred entered into or done between the times of the sentence of separation and of the reversal thereof. 15 20

**Court may direct alimony to be paid as it may think proper.** XIX. In all cases in which the Court shall make any decree or order for alimony, it may direct the same to be paid either to the wife herself or to any trustee on her behalf, to be approved by the Court, and may impose any terms or restrictions which to the Court may seem expedient, and may from time to time appoint a new trustee, if for any reason it shall appear to the Court expedient so to do. 25 30

**Wife judicially separated to be considered as a femme sole as to property.** XX. In every case of a Judicial Separation, the wife shall, from the date of the sentence and whilst the separation shall continue, be considered as a *femme sole*, with respect to property of every description which she may acquire, or which may come to or devolve upon her, and such property may be disposed of in all respects by her as a *femme sole*, and on her decease the same shall, in case she shall die intestate, go as the same would have gone if her husband had been then dead; Provided, that if any such wife should again cohabit with her husband, all such property as she may be entitled to when such cohabitation shall take place shall be held to her separate use, subject, however, to any agreement in writing made between herself and her husband whilst separate. 35 40

**And for the purposes of contract, wrongs, suing and being sued, &c.** XXI. In every case of a Judicial Separation the wife shall, whilst so separated, be considered as a *femme sole*, for the purposes of contract, and wrongs and injuries, and suing and being sued, in any civil proceeding; and her husband shall not be liable in respect of any engagement or contract she may have entered into, or for any wrongful act or omission by her, or for any costs she may incur as plaintiff or defendant; Provided, that whereupon any such Judicial Separation Alimony has been decreed or ordered to be paid to the wife, and the same shall not be duly paid by the husband, he shall be liable for necessities supplied for her use; Provided also, that nothing shall prevent the wife from 45 50

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