

## LEGITIMATION.

17° GEO. V., No. XXIX.

No. 29 of 1926.

## AN ACT to amend the Legitimation Act, 1909.

[Assented to 8th December, 1926.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Legitimation Act Amendment Act, 1926*, and shall be read as one with the Legitimation Act, 1909, hereinafter referred to as the principal Act.

Amendment of  
sec. 3.

2. Section three of the principal Act is hereby amended by adding to the end thereof the following words:—

“Provided that such child shall be entitled only to receive, or share and participate in, the real and personal property remaining undistributed at the date of the registration of such child as legitimate, and which real and personal property is the subject of any disposition or of any devolution by law, wholly or partly on or in favour of children or their issue, or in which such children or issue may have any claim, on the death of any person, whether such disposition or devolution takes effect before or after the registration of such child as legitimate, or whether before or after the passing of this Act, and under which such child would not have been entitled to any share or interest unless legitimate :

Provided further, that nothing herein contained shall prejudice or affect the interest of any *bona fide* purchaser or encumbrancer for value.”

3. Section five of the principal Act is hereby amended Amendment of  
sec. 5. by adding the following words:—

“except so far as to permit, in accordance with section three, any child legitimated in accordance with the provisions of this Act receiving or sharing and participating in any real and personal property remaining undistributed at the date of registration of such child as legitimate.”

4. Section six of the principal Act is hereby amended Amendment of  
sec. 6. by inserting in subsection one thereof, between the words “hereto” and “it” in the fourth line, the following words:—

“or when after the death of the husband without his having previously made or produced to the registrar such a statutory declaration, it shall be proved to the satisfaction of a Judge in Chambers upon the application of the mother that the husband was the father of the child, or during his lifetime acknowledged himself as the father of the child, then upon production of a certified copy of the Order of the Judge so finding.”