

American Legal History – Russell

Laws of New York, Chap. 375 (1849).

§ 1. The third section of the act entitled "An act for the more effectual protection of the property of married women," is hereby amended so as to read as follows:

§ 3. Any married female may take by inheritance or by gift, grant, devise or bequest, from any person other than her husband and hold to her sole and separate use and convey and devise real and personal property, and any interest on estate therein, and the rents, issues and profits thereof in the same manner and with like effect as if she were unmarried, and the same shall not be subject to the disposal of her husband nor be liable for his debts.

§ 2. Any person who may hold or who may hereafter hold as trustee for any married woman, any real or personal estate or other property under any deed of conveyance or otherwise, on the written request of such married women accompanied by a certificate of a justice of the supreme court that he has examined the condition and situation of the property, and made due enquiry into the capacity of such married women to manage and control the same, may convey to such married women by deed or otherwise, all of any portion of such property, or the rents, issued, or profits thereof, for her sole and separate use and benefit.

§ 3. All contracts made between persons in contemplation of marriage shall remain in full force after such marriage takes place.

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