



WESTERN AUSTRALIA.

ANNO · QUADRAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. XXVIII.

AN ACT further to regulate the Celebration of Marriage in the Colony of Western Australia.

[Assented to, 22nd October, 1879.]

WHEREAS it is expedient further to amend the law relating to the Celebration of Marriage in the Colony of Western Australia: Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

19th Vic., No. 11.

1 NO marriage shall be celebrated, except under special license for that purpose to be issued by the Governor, or except after due publication of banns, or intimation in writing of an intention to have such marriage shall be affixed for three consecutive Sundays on the door of the place of worship in which it shall be intended to celebrate such marriage, until one of the parties shall give notice under his or her hand in the form given in the Schedule A to

Notice of intended marriage to be given to district registrar.

"A."

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this Act, or to the like effect, to the district registrar of the district within which the parties, or one of them, shall have dwelt for not less than seven days then next preceding; and shall state in such notice the name and surname, and the profession or condition of each of the parties intending marriage, the dwelling place of each of them, and the time during which each has dwelt therein. But if either party shall have dwelt in the place stated in such notice during more than seven days, it may be stated therein that he or she has dwelt there seven days and upwards.

District Registrar to post notices in his office, and enter same in Marriage Notice Book.

2 THE district registrar shall forthwith post a true copy of such notice in a conspicuous place in his office, and shall also enter a true copy thereof fairly into a book to be for that purpose provided by the registrar general, to be called "The Marriage Notice Book;" and such book shall be open at all reasonable times without fee to all persons desirous of inspecting the same; and for every such entry the district registrar shall be entitled to a fee of one shilling.

Marriage notices to be sent to the registrar general.

3 EVERY district registrar shall, on the first day of every month, transmit to the registrar general all such notices received by him during the month preceding, and such notices shall be thereafter kept in the general registry, in such order and manner as the registrar general shall think fit, so that the same may be most readily seen and examined.

After seven days certificate of notice to be given on demand.

"B."

Proviso.

Further proviso.

Certificate to contain particulars.

4 AFTER the expiration of seven days from the entry of such notice, the district registrar, upon being requested so to do by or on behalf of either party mentioned therein, shall issue under his hand a certificate in the form of schedule B to this Act annexed; Provided that no lawful impediment be shown to the satisfaction of the district registrar why such certificate should not issue; and provided that the issue of such certificate shall not have been sooner forbidden, in manner hereinafter mentioned, by any person authorized in that behalf as hereinafter provided; and every such certificate shall state the particulars set forth in the notice, the day on which the notice was received, posted, and entered, and that the full period of seven days has elapsed since the posting and entry of such notice; and for every such certificate the district registrar shall be entitled to a fee of one shilling.

Issue of district registrar's certificate may be forbidden.

5 ANY person whose consent to a marriage is required by law, may forbid the issue of the district registrar's certificate, by writing or causing to be written at any time before the issue of such certificate, the word "forbidden" opposite to the entry of the notice

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of such intended marriage in the marriage notice book, and by subscribing or causing to be subscribed thereto his or her name, place of abode, and character as parent or guardian.

6 NO marriage in pursuance of such notice shall be celebrated three calendar months after the entry of such notice, nor until the certificate mentioned in the fourth section hereof shall have been produced to the minister or district registrar celebrating the marriage, nor in any case until a declaration upon oath, or a solemn affirmation shall have been made in manner prescribed by the Ordinance 19th Victoria, No. 11, section 4.

No marriage to be celebrated till certificate produced and declaration made, nor after three months from entry.

7 THIS Act shall be taken to be part of the Ordinance 19th Victoria, No. 11, as fully and effectually as if incorporated therewith, and may be cited for all purposes as "The Marriage Law Amendment Act, 1879."

This Act and the said Ordinance, 19th Vic., No. 11, to be read together.

In the name and on behalf of the Queen I hereby assent to this Act.

H. ST. GEORGE ORD, Governor.