CHAPTER 47.

An Act to amend the Law relating to Marriage with a Deceased Wife's Sister. [28th August 1907.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Marriage with a deceased wife's sister not to be deemed void as a civil contract except in certain cases.

1. No marriage heretofore or hereafter contracted between a man and his deceased wife's sister, within the realm or without, shall be deemed to have been or shall be void or voidable, as a civil contract, by reason only of such affinity: Provided always that no clergyman in holy orders of the Church of England shall be liable to any suit, penalty, or censure, whether civil or ecclesiastical, for anything done or omitted to be done by him in the performance of the duties of his office to which suit, penalty, or censure he would not have been liable if this Act had not been passed.

Provided also that when any minister of any church or chapel of the Church of England shall refuse to perform such marriage service between any persons who, but for such refusal, would be entitled to have the same service performed in such church or chapel, such minister may permit any other clergyman in holy orders in the Church of England, entitled to officiate within the diocese in which such church or chapel is situate, to perform such marriage service in such church or chapel.

Provided also that in case, before the passing of this Act, any such marriage shall have been annulled, or either party thereto (after the marriage and during the life of the other) shall have lawfully married another, it shall be deemed to have become and to be void upon and after the day upon which it was so annulled, or upon which either party thereto lawfully married another as aforesaid.

Saving of existing rights and interests.

2. No right, title, estate or interest, whether in possession or expectancy, and whether vested or contingent at the time of the passing of this Act, existing in, to, or in respect of, any dignity, title of honour, or property, and no act or thing lawfully done or omitted before the passing of this Act shall be prejudicially affected nor shall any will be deemed to have been revoked by reason of any marriage heretofore contracted as aforesaid being made valid by this Act. And no claim by the Crown for duties leviable on or with reference to death, and before the passing of this Act due and payable, and no payment, commutation, composition, discharge, or settlement of account in respect of any duties leviable on or with reference to death before the passing of this Act duly made or given, shall be prejudicially affected by anything herein contained.

Nothing in this Act shall affect the devolution or distribution of the real or personal estate of any intestate, not being a party

to the marriage, who at the time of the passing of this Act shall be, and shall until his death continue to be, a lunatic, so found by inquisition.

Saving for 20 & 21 Vict. c. 85. s. 27.

3.—(1) Nothing in this Act shall remove wives' sisters from the class of persons adultery with whom constitutes a right, on the part of wives, to sue for divorce under the Matrimonial Causes Act, 1857.

(2) Notwithstanding anything contained in this Act or the Matrimonial Causes Act, 1857, it shall not be lawful for a man to marry the sister of his divorced wife, or of his wife by whom he has been divorced, during the lifetime of such wife.

Liability of clergyman to ecclesiastical censure.

4. Nothing in this Act shall relieve a clergyman in holy orders of the Church of England from any ecclesiastical censure, to which he would have been liable if this Act had not been passed, by reason of his having contracted or hereafter contracting a marriage with his deceased wife's sister.

Interpretation.

5. In this Act the word "sister" shall include a sister of the half-blood.

Short title.

6. This Act may be cited as the Deceased Wife's Sister's Marriage Act, 1907.

CHAPTER 48.

An Act to amend the Law relating to the capacity of Women to be elected and act as Members of County or Town Councils in Scotland. . [28th August 1907.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision as to capacity of women to be county or town councillors.

1.—(1) A woman shall not be disqualified by sex or marriage for being elected or being a councillor of the council of any county or burgh in Scotland, but shall not—

(*a*) if elected as a councillor, by virtue of holding that office be eligible for election, or for acting, as a burgh magistrate, or as a judge in any police court, or as a member of a licensing court or court of appeal; or

(*b*) if elected as chairman of a county council or provost of a burgh, by virtue of holding or having held that office be a justice of the peace or burgh magistrate, or be eligible for election, or for acting, as a burgh magistrate, or as a judge in any police court: Provided that, where a woman is elected as provost of a burgh, the number of bailies to be elected in the burgh shall, while she holds office as provost, be one more than the number otherwise fixed by law, and