ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

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C A P. LXXII.

An Act to provide for the Solemnization of Marriages in the Districts in or near which the Parties reside. [7th *August* 1840.]

WHEREAS by an Act passed in the Fourth Year of the Reign of King *George* the Fourth, intituled *An Act for amending the Laws respecting the Solemnization of Marriage in* England, it is provided, that in all Cases where Banns shall have been published, the Marriage shall be solemnized in One of the Parish Churches or Chapels where such Banns shall have been published, and in no other Place whatsoever: And whereas by an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for Marriages in* England, Provision is made for Marriages intended to be solemnized in *England*, after Notice given, according to the Forms authorized by the last-recited Act, which Act has been explained and amended by an Act passed in the First Year of the Reign of Her present Majesty: And whereas it is expedient to restrain Marriages under the said Act of His late Majesty from being solemnized out of the District in which One of the Parties dwells, unless either of the Parties dwells in a District within which there is not any registered Building, wherein, under the Provisions of the said Act of His late Majesty, as explained and amended by the said Act of Her present Majesty, Marriage is solemnized accord-

4 G. 4. c. 76.

6 & 7 W. 4. c. 85.

7 W. 4. & 1 Vict. c. 22.

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ing to the Form, Rite, or Ceremony the Parties see fit to adopt: Be it therefore declared and enacted by the Queen'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, That it is not and shall not be lawful for any Superintendent Registrar to give any Certificate of Notice of Marriage where the Building in which the Marriage is to be solemnized, as stated in the Notice, shall not be within the District wherein One of the Parties shall have dwelt for the Time required by the said Act of His late Majesty, except as herein-after is enacted.

Certificate of Notice not to be granted for Marriage out of the District where the Parties dwell, except as herein-after enacted.

In what Case Marriage may be solemnized out of the District in which the Partiesdwell.

II. And be it enacted, That it shall be lawful for any Party intending Marriage under the Provisions of the said Act of His late Majesty, in addition to the Notice required to be given by that Act, to declare at the Time of giving such Notice, by Indorsement thereon, the Religious Appellation of the Body of Christians to which the Party professeth to belong, and the Form, Rite, or Ceremony which the Parties desire to adopt in solemnizing their Marriage, and that, to the best of his or her Knowledge and Belief, there is not within the District in which One of the Parties dwells any registered Building in which Marriage is solemnized according to such Form, Rite, or Ceremony, and the District nearest to the Residence of that Party in which a Building is registered wherein Marriage is so solemnized, and the registered Building within such District in which it is intended to solemnize their Marriage; and after the Expiration of Seven Days or Twenty-one Days, as the Case may require, under the said Act of His late Majesty, it shall be lawful for the Superintendent Registrar to whom any such Notice shall have been given to issue his Certificate, according to the Provisions of that Act; and after the issuing of such Certificate the Parties shall be at liberty to solemnize their Marriage in the registered Building stated in such Notice: Provided always, that after any Marriage shall have been solemnized it shall not be necessary in support of such Marriage to give any Proof of the Truth of the Facts herein authorized to be stated in the Notice, nor shall any Evidence be given to prove the contrary in any Suit touching the Validity of such Marriage.

Form of Notice.

III. And be it enacted, That the additional Notice herein-before authorized to be given may be according to the Form in the Schedule to this Act annexed, or to a like Effect.

Persons making false Declarations guilty of Perjury.

IV. And be it enacted, That every Person who shall knowingly and wilfully make any false Declaration under the Provisions of this Act, for the Purpose of procuring any Marriage out of the District in which the Parties or One of them dwell, shall suffer the Penalties of Perjury: Provided always, that no such Prosecution shall take place after the Expiration of Eighteen Calendar Months from the Solemnization of such Marriage.

Provision as to Marriages of Members

V. Provided always, and be it enacted, That, notwithstanding any thing herein or in the said recited Acts or either of them contained,

the Society of Friends commonly called Quakers, and also Persons professing the Jewish Religion, may lawfully continue to contract and solemnize Marriage according to the Usages of the said Society and of the said Persons respectively, after Notice for that Purpose duly given, and Certificate or Certificates duly issued, pursuant to the Provision of the said recited Act of His late Majesty, notwithstanding the Building or Place wherein such Marriage may be contracted or solemnized be not situate within the District or either of the Districts (as the Case may be) in which the Parties shall respectively dwell. Of the Society of Friends, and Jews.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended this Session.

The SCHEDULE to which the Act refers.

I, the undersigned and within-named *James Smith*, do hereby declare, That I, being [*here insert, a Member of the Church of England, a Roman Catholic, Independent, Baptist, Presbyterian, Unitarian, or such other Description of the Religion of the Party*], and the within-named *Martha Green*, in solemnizing our intended Marriage, desire to adopt the Form, Rite, or Ceremony of the [*Roman Catholic Church, Independents, Baptists, Presbyterians, Unitarians, or other Description of the Form, Rite, or Ceremony the Parties state it to be their Desire to adopt*]; and that to the best of my Knowledge and Belief there is not within the Superintendent Registrar's District in which [*I dwell*], *or* [*in which the said Martha Green dwells*], any registered Building in which Marriage is solemnized according to such Form, Rite, or Ceremony; and that the nearest District to [*my Dwelling Place*], *or to* [*the Dwelling Place of the said Martha Green*], in which a Building is registered wherein Marriage may be solemnized according to such Form, Right, or Ceremony, is the [*here insert the Name by which the Superintendent Registrar's District is designated*]; and that we intend to solemnize our Marriage in the registered Building within that District known by the Name of [*here insert the Name by which the Building has been registered*]. Witness my Hand this *Tenth* Day of *August One thousand eight hundred and forty.*

(Signed) *James Smith.*

[The *Italics* in this Schedule to be filled as the Case may be.]

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