be nominated, one by the Applicant or Applicants, and the other by such adjoining Owner, Occupier, or other Person interested, as the Case may be; and in default of such adjoining Owner, Occupier, or other Person interested in nominating an Arbitrator, it shall be lawful for any Two or more Justices in Petty Sessions, after Notice to such adjoining Owner, Occupier, or other Person, to nominate such Arbitrator; and the Arbitrators shall decide the several Questions mentioned in this Act, and shall have Power, in case of Disagreement, to call in an Umpire; and such Arbitrators and Umpire, as the Case may be, shall make their Award on the said several Matters.

Powers of Act cumulative.

17. All Powers given by this Act shall be deemed to be in addition to and not in derogation of any other Powers now existing by Common Law, or under any Act or Acts of Parliament heretofore passed, and now remaining unrepealed; and every Person may exercise such other Powers in the same Manner as if this Act had not passed, anything herein contained notwithstanding.

CAP. XXVII.

An Act to amend the Law relating to Marriages in *Ireland*. [8th *June* 1863.]

'WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Eighty-one, intituled *An Act for Marriages in* Ireland, *and for registering such Marriages*; and it is expedient to alter and amend the Provisions of the said Act, so far as is herein-after provided:' Be it therefore 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, as follows:

No Notice of Marriage to be published before Poor Law Guardians.

1. In case of any Party intending Marriage under the Provisions of the said recited Act or of this Act, no Notice of such intended Marriage shall be read or published before the Guardians of any Poor Law Union in *Ireland*, or be transmitted by any Registrar to the Clerk of any such Guardians.

Form of Notice of Marriage to Registrar as in Sched. (A.)

2. Every Notice of an intended Marriage given to the Registrar under the Provisions of the said recited Act or of this Act shall be in the Form set forth in the Schedule (A.) to this Act annexed, and shall state,—

(1.) The true Name, Surname, Profession, or Condition of each of the Persons intending Marriage:

(2.) The Church, Chapel, or Place of Public Worship which the Persons intending Marriage, or either of them, usually attend:

(3.) The usual Dwelling Place of each of them:

(4.) The Time, not being less than Seven Days, during which each has dwelt therein (unless such Time is more than One Month, in which Case it may be so stated):

(5.) The Church, Chapel, or registered Place of Public Worship, or other Place in which the Marriage is intended to be celebrated (which must be a Place within the District of the Registrar to whom the Notice is given):

(6.) Whether the Marriage is intended to be celebrated by virtue of the Registrar's Certificate, or by virtue of his Licence.

Proceedings of Registrar.

3. The Registrar shall then proceed as follows:

(1.) He shall file the Notice so given to him, and keep the same with the Records of his Office:

(2.) He shall forthwith enter a true Copy of the Notice in his Marriage Notice Book (supplied to him by the Registrar General):

(3.) He shall keep this Book open for the Inspection of all Persons at all reasonable Times without Fee:

(4.) He

(4.) He shall, on the Day on which he shall have received such Notice, or on the following Day at the latest, send by Post, in a registered Letter, a Copy of the Notice, under his Hand,—

To the Minister of the Church, Chapel, or registered Place of Public Worship stated in the Notice as that in which the Marriage is intended to be solemnized; and

To the Minister of the Church, Chapel, or Place of Public Worship which the Parties to the Marriage, or either of them, usually attend;

Or the Registering Officer of the Society of Friends, or Secretary of a Synagogue, by whom respectively the Marriage is to be registered, as the Case may require:

(5.) When the Marriage is intended to be contracted in the Office of the Registrar, he shall, in addition to sending a Copy of the Notice to the Minister of the Church, Chapel, or Place of Public Worship as aforesaid, forthwith suspend a Copy of the Notice, on a printed Form properly and legibly filled up, in some conspicuous Place in his Office, and keep the same so suspended,—in the Case of a Marriage intended to be celebrated by virtue of a Certificate, for Twenty-one Days,—and in the Case of a Marriage intended to be celebrated by virtue of a Licence, during Seven Days, next after the Day of Entry of the Notice;

And the Registrar shall be entitled to a Fee of One Shilling for each registered Letter sent by him.

Notice of Marriage to be accompanied by a solemn Declaration by One of the Parties as Form in Sched. (B.)

4. Any Party intending Marriage under the Provisions of this Act shall, at the Time of giving the Registrar the Notice required by this Act, make and sign or subscribe a solemn Declaration in Writing (according to the Form set forth in Schedule (B.) to this Act annexed), that he or she believes that there is no Impediment of Kindred or Alliance or other lawful Hindrance to the said Marriage, and that the Parties to the said Marriage have for the Space of One Month immediately preceding the giving of such Notice usually attended Divine Worship in the Church, Chapel, or Meeting-house named in such Notice, and that the Parties to the said Marriage, in case the Marriage is intended to be had without Licence, have for the Space of Seven Days immediately preceding the giving of such Notice had their usual Place of Abode and Residence within the District of the Registrar or respective Registrars to whom such Notice or Notices, as the Case may be, shall be so given; or, in case such Marriage is intended to be had by Licence, that One of the Parties had for the Space of Fifteen Days immediately preceding the giving of such Notice had his or her usual Place of Abode and Residence within the District of the Registrar to whom such Notice shall be so given; and when either of the Parties intending Marriage, and not being a Widower or Widow, shall be under the Age of Twenty-one Years, the Party making such Declaration shall further declare that the Consent of the Person or Persons whose Consent to such Marriage is by Law required has been given, or (as the Case may be) that there is no Person whose Consent to such Marriage is by Law required; and every Declaration so made as aforesaid shall be signed and subscribed by the Party making the same, in the Presence of the Registrar to whom the Notice of the Marriage is given, who shall attest the same by adding thereto his Name, Description, and Place of Abode; and no Certificate or Licence for Marriage shall be issued or granted pursuant to any such Notice as aforesaid unless the said Notice be accompanied by such solemn Declaration duly made and signed or subscribed and attested as aforesaid, and the Registrar shall file such Declaration, and keep the same with the Records of his Office.

Certificate not to issue until after 21 Days, nor Licence to be granted after 7 Days.

5. The Registrar shall not in any Case issue a Certificate until after the Expiration of Twenty-one Days, or grant a Licence until after the Expiration of Seven Days, from the Day of Entry of the Notice by him.

Registrar General to furnish Registry Books.

6. The Registrar General shall furnish to the Minister of every registered Place of Public Worship in which Marriages may be solemnized, Marriage Register Books in Duplicate, and Forms for certified Copies thereof, as provided under the said recited Act. One Copy of every such Register Book, when filled, shall be delivered to the Registrar of Marriages of the District in which such registered Place of Worship is situate, and the other Copy

Copy shall remain in the Custody of such Minister, and be kept by him with the other Registers of his Place of Worship.

Place, Time, &c. of Marriage.

7. Every Marriage solemnized by virtue of a Registrar's Certificate of Publication of Notice, or of a Registrar's Licence, according to the Usages of any Church, Denomination, or Body of Protestant Christians, shall be solemnized,—

(1.) By a Minister of the Church, Denomination, or Body to which the Parties to the Marriage, or either of them, shall belong;
(2.) In the registered Place of Public Worship named in the Notice;
(3.) Between the Hours of Eight in the Morning and Two in the Afternoon;
(4.) With open Doors;
(5.) In the Presence of Two or more credible Witnesses besides the Officiating Minister or Person solemnizing the Marriage;

And not elsewhere or otherwise. If any Person wilfully solemnize a Marriage, or pretended Marriage, contrary to the present Provision, he shall be guilty of Felony.

Marriages under this Act good and cognizable.

8. The Presence of the Registrar shall not be necessary at any Marriage celebrated under the Provisions of this Act, in any House of Worship registered or certified under the said recited Act or this Act; and every such Marriage shall be good and cognizable in like Manner as any Marriage solemnized under the Provisions of the said recited Act; nor shall the Minister who shall solemnize any such Marriage without the Presence of the Registrar be guilty of Felony.

Entry of Marriage by Minister in Registry Books.

9. Every Minister, immediately after the Solemnization of any Marriage by him, shall enter in both the Duplicate Marriage Register Books of the Place of Worship in which the Marriage is solemnized, the requisite Particulars respecting such Marriage; and every such Entry shall be signed by such Minister, and by the Persons married, and by Two Witnesses at the least; and such Minister shall, in *April*, *July*, *October*, and *January*, every Year, send to the Registrar of Marriages of the District in which such Place of Worship is situate, on a printed Form (supplied to him by the Registrar General), a Copy, certified by him under his Hand, of all Entries in the Duplicate Marriage Register Books in his keeping made in the Quarter of a Year then last past, or certify under his Hand that no such Entry has been made in such Quarter, if the Case so be.

Penalty for not registering Marriage.

10. If any Minister neglect or refuse to register as aforesaid any Marriage which under this Act it is his Duty to register, he shall for such Offence be liable to a Penalty of Forty Pounds, recoverable in the same Manner in which Fines and Forfeitures imposed by the said recited Act are now recoverable, with full Costs of Suit, by any Person who shall sue for the same.

Registrar not to grant Licences for Marriage in certain Cases.

11. Nothing in this Act contained shall authorize any Registrar to grant a Licence for Marriage in any Church or Chapel in which Marriages may be solemnized according to the Rites of the United Church of *England* and *Ireland*, or in any Church or Chapel belonging to the said United Church, or licensed for the Celebration of Divine Worship according to the Rites and Ceremonies of the said United Church.

The Registration of Places of Public Worship by Trustee, &c.

12. Any Trustee or Owner of a separate Building (not being a Church or Chapel belonging to the United Church of *England* and *Ireland*) used as a Place of Public Worship by any Church, Denomination, or Body of Protestant Christians, or any Officiating Minister of any such Place of Public Worship, may certify in Writing, signed by him, to the Registrar General, that such Building is so used, and shall at the same Time deliver to the Registrar General a Certificate signed by Ten Householders at the least that such Building has been used by them during One Year at least as their usual Place of Public Worship, and that they are desirous that such Place should be registered, and such Trustee, Owner, or Minister shall countersign such Certificate. On the Receipt of such Certificates the Registrar General shall register such Place of Public Worship in the General Registry Office, and shall send a Certificate of such Registration to the Person certifying, and to the Registrar of the District in which such Place of Public Worship shall be situated, who shall keep the same with the other Records of his Office; the Registrar General shall also give Public

Public Notice of such Registration by Advertisement in the *Dublin Gazette* and in a Newspaper circulating in the County where the Place of Public Worship is situate. For every such Entry, Certificate, and Publication the Registrar General shall receive, at the Time of Delivery to him of the Certificates, the Sum of One Pound.

Consent of Minister, &c. necessary.

13. No such Marriage as aforesaid shall be solemnized in any such Place of Public Worship without the Consent of the Minister, or of One of the Trustees or Owners, Deacons, or Managers, thereof.

Omission to send Notice of Marriage, Penalty 40*l.*

14. If any Registrar shall neglect or refuse to send a Copy of the Notice given to him by either of the Parties intending Marriage to the Minister of the Church, Chapel, or registered Place of Public Worship where the Marriage is to be solemnized, and to the Minister of the Church, Chapel, or registered Place of Public Worship where the Parties to the Marriage, or either of them, usually attend, he shall be liable to a Penalty of Forty Pounds, recoverable as aforesaid, with full Costs of Suit, by any Person who shall sue for the same.

Penalty on making false Declaration, or giving false Notice.

15. Any Person who shall knowingly or wilfully make any false Declaration, or sign any false Notice, required by the said recited Act or by this Act, for the Purpose of procuring any Marriage, shall suffer the Penalties of Perjury.

Not to alter Provisions of existing Act, except where at variance with this Act.

16. Except where the Provisions of the said recited Act are expressly altered by or are at variance with the Provisions of this Act, nothing herein contained shall alter, repeal, or affect, or be construed so as in any Manner to alter, repeal, or affect, any of the Provisions or Clauses contained in the said Act, but, except as aforesaid, the same Provisions and Clauses respectively shall be and remain in full Force and Effect as if this Act had not been passed; and this Act shall, except as aforesaid, be considered as incorporated with the same Provisions and Clauses, and be construed in connexion therewith.

Commencement of Act.

17. This Act shall come into operation on the First Day of *August* One thousand eight hundred and sixty-three, and none of the Provisions thereof shall take effect previous to that Day.

Limitation of Act.

18. This Act shall not apply to *England* or *Scotland*.

SCHEDULE (A.)

NOTICE OF MARRIAGE.

To *A.B.*, Registrar [*or* Deputy Registrar] of the District of in the County of .

I the undersigned *James Smith* hereby give you Notice, that a Marriage is intended to be had, without [*or* by, *as the Case may be*] Licence, within Three Calendar Months from the Date hereof, between me and the other Party named and described; (that is to say,)

Name and Surname.	Condition.	Rank or Profession.	Age.	Dwelling Place.	Length of Residence.	Church, Chapel, or Place of Worship which the Parties usually attend respectively.	Church, Chapel, Place of Public Worship, or Building in which the Marriage is to be solemnized.	District and County in which the Parties respectively dwell.
James Smith.	*Widower*	*Ironmonger.*	*Twenty-five Years.*	*23, Trinity Street, Parish of St. Andrew's, City of Dublin.*	*Seven Days* [or *Fifteen Days*, as the Case may be].	*Primitive Wesleyan Methodist Chapel, Great George Street.*	*Sion Chapel, Maryborough.*	*District of —— South District.* *County of —— the City of Dublin.*
Martha Green.	*Spinster*	- -	*Nineteen Years.*	*Grove Farm, Townland of Grove, Parish of Maryborough.*	*More than One Month.*	*Sion Chapel, Maryborough.*		*District of Maryborough, County of Queen's County.*

Witness my Hand this [ ] day of [ ] One thousand eight hundred and [*sixty-three*].

(Signed) *James Smith.*

(The Particulars in this Schedule to be entered according to the Fact.)

SCHEDULE (B.)

I, the undersigned, *James Smith*, of *23, Trinity Street, Parish of St. Andrew's, City of Dublin*, hereby solemnly declare, That I believe there is no Impediment of Kindred or Alliance or other lawful Hindrance to my Marriage with *Martha Green* of *Grove Farm, Townland of Grove, Parish of Maryborough*, and that we, the above-named *James Smith* and *Mary Green*, have for the Space of One Month immediately preceding the giving the Notice of our Marriage usually attended Divine Worship in the Church, Chapel, or Meeting-house belonging to the [*here insert the Church, Denomination, or Body of Protestant Christians to which such Place of Worship shall belong* (*as the Case may be*)] "in the Parish of ," *or* "Ecclesiastical District of ," within the *South District* of , and County of *the City of Dublin.*

And that *I*, the above-named *James Smith*, have for the Space of *Fifteen* Days immediately preceding the giving the Notice of Marriage had *my* usual Place of Abode and Residence [*if the Marriage is intended to be had in a Church or Chapel of the United Church of England and Ireland, insert the following Words* "in the Parish of ," *or* "in the Ecclesiastical District of ," (*as the Case may be,*) *and add the Name of the Parish or Ecclesiastical District in which one of the Parties resides*] within the *South District* of , County of *the City of Dublin:*

And I further declare that I am not a Minor under the Age of Twenty-one Years, and that the other Party herein named and described is not a Minor under the Age of Twenty-one Years [*if one or both of the Parties be under Age these Words must be expunged*], [*or as the Case may be*]:

And I further declare that *she* [*or, I*], the said *Martha Green*, not being a *Widow* [*or, Widower*], *is* [*or, am*] a Minor under the Age of Twenty-one Years, and that the Consent of *George Graham*, whose Consent to *her* [*or, my*] Marriage is required by Law, has been duly given and obtained thereto [*or,* "that there is no Person whose Consent to *her* [*or, my*] Marriage is by Law required" (*as the Case may be*)]:

And I make the foregoing Declarations solemnly and deliberately, conscientiously believing the same to be true, pursuant to the Provisions of an Act passed in the Year of Her Majesty Queen Victoria, Chapter , intituled "An Act to amend the Law relating to Marriages in Ireland," well knowing that every Person who shall knowingly or wilfully make and sign or subscribe any false Declaration, or who shall sign any false Notice, for the Purpose of procuring any Marriage under the Provisions of the said Act above mentioned, or of any Act therein recited, shall suffer the Penalties of Perjury. In witness whereof I have hereunto set and subscribed my Hand, this *Fifth* Day of *August 1863.*

James Smith.

Signed and declared by the above-named *James Smith*, in the Presence of *James Casey*, of [*insert Place of Abode*], Registrar of the *South District*, County of *the City of Dublin.*

CAP. XXVIII.

An Act to give further Facilities to the Holders of the Public Stocks.

[8th *June* 1863.]

'WHEREAS it is expedient to give further Facilities to the Holders of the Public Stocks in respect of the Transfer thereof, and the Receipt of the Dividends thereon:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of