CHAPTER xxxi.

An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Provisional Order (Marriages) Act 1905. A.D. 1916.

[19th July 1916.]

WHEREAS the Right Honourable Herbert Samuel one of His Majesty's Principal Secretaries of State has made the Provisional Order set out in the schedule hereunto annexed under the provisions of the Provisional Order (Marriages) Act 1905: 5 Edw. 7. c. 23.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore 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:—

1. The Order as set out in the schedule hereunto annexed is hereby confirmed. Order in schedule confirmed.

2. This Act may be cited as the Provisional Order (Marriages) Confirmation Act 1916. Short title.

A.D. 1916.

SCHEDULE.

WHEREAS power is given to a Secretary of State by the Provisional Order (Marriages) Act 1905 in the case of marriages solemnized in England which appear to him to be invalid or of doubtful validity by reason of some informality to make a Provisional Order for the purpose of removing the invalidity or doubt:

And whereas by an Order of His Majesty in Council of the Seventeenth day of December One thousand nine hundred and fourteen a District Chapelry was assigned to the consecrated Church of Saint Mary Gateforth in the parish of Brayton in the County and Diocese of York:

And whereas since the publication of the said Order in Council in the London Gazette on the Twenty-second day of December One thousand nine hundred and fourteen divers marriages which should have been solemnised in the church of Saint Mary Gateforth (the contracting parties being resident in the area assigned to the said church) have been solemnized in the church of St. Wilfrid the parish church of Brayton aforesaid:

And whereas the new church of St. Mary the Virgin in the parish of Ide Hill in the County of Kent and Diocese of Rochester was built and was duly consecrated for the performance of divine service on the Thirtieth day of November One thousand eight hundred and sixty-five and the church so built was intended to be substituted for the ancient parish church of St. Mary Ide Hill but it does not appear that any deed of substitution in accordance with the provisions of 8 and 9 Vict. cap. 70 or 19 and 20 Vict. cap. 55 was executed until the Twenty-ninth day of July One thousand nine hundred and fifteen or that the new church of St. Mary the Virgin has ever been licensed for the solemnization of marriages:

And whereas divers marriages had nevertheless been solemnized in the said church before the Twenty-ninth day of July One thousand nine hundred and fifteen:

And whereas it is expedient in the circumstances aforesaid to remove all doubts touching the validity of marriages solemnized at the said churches of St. Wilfrid Brayton and St. Mary the Virgin Ide Hill:

Now therefore I the Right Honourable Herbert Samuel one of His Majesty's Principal Secretaries of State in pursuance of the

powers conferred on me by the said Provisional Order (Marriages) Act 1905 do hereby order that on and after the date of the Act of Parliament confirming this Order the following provisions shall have effect:—

1. All banns of matrimony and marriages published and solemnized since the Twenty-second day of December One thousand nine hundred and fourteen in the church of St. Wilfrid in the parish of Brayton in the County and Diocese of York the contracting parties to which were resident in the area assigned to the church of St. Mary Gate-forth in the said County and Diocese of York shall be and shall be deemed to have been as valid as if they had been published and solemnized in a church in which such banns might be published and marriages solemnized lawfully.

2. All banns of matrimony and marriages published and solemnized before the Twenty-ninth day of July One thousand nine hundred and fifteen in the church of St. Mary the Virgin in the parish of Ide Hill in the County of Kent and Diocese of Rochester shall be deemed to have been as valid as if they had been published and solemnized in a church in which such banns might be published and marriages solemnized lawfully.

3. A minister who has solemnized any marriage referred to in the first or second paragraph of this Order shall not be liable to any proceedings for penalties whatsoever or to any ecclesiastical censure by reason of having solemnized such marriage.

4. The registers of the marriages so solemnized or copies of the registers shall be received in all courts as evidence of those marriages in the same manner as registers of marriages duly solemnized or copies thereof are by law receivable in evidence.

Given under my hand this sixth day of March one thousand nine hundred and sixteen.

(Signed) HERBERT SAMUEL.

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