CAP. XC.

An Act to provide for the Registration of Marriages in *Ireland*.

[28th *July* 1863.]

'WHEREAS it is expedient that a System of Registration of such Marriages as are 'not within the Provisions of an Act of the Session holden in the Seventh and 'Eighth Years of Her present Majesty, Chapter Eighty-one, should be established and 'maintained in *Ireland*:' Be it 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:

Short Title.

1. This Act may be cited for all Purposes as "The Registration of Marriages (*Ireland*) Act, 1863."

Commencement of Act.

2. This Act shall commence and take effect from and after the First Day of *January* One thousand eight hundred and sixty-four.

Interpretation of Terms.

3. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them; that is to say,

"Lord Lieutenant" shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland*:

"General Search" shall mean a Search during any Number of successive Days, not exceeding Six, without stating the Object of Search:

"Particular Search" shall mean a Search over any Period not exceeding Five Years for any given Register of Marriage.

Act to extend to Ireland only.

4. This Act shall extend to *Ireland* only.

Registrar General to furnish to Boards of Guardians Notices setting forth Acts required to be done under this Act.

5. The Registrar General of Marriages appointed under the Provisions of the said first-recited Act shall, in sufficient Time before the Thirty-first Day of *December* One thousand eight hundred and sixty-three, furnish to the Guardians of every Union printed Notices, which the said Guardians shall on or before the said Thirty-first Day of *December* cause to be fixed or placed on the Outside of the several Church and Chapel Doors, or other public and conspicuous Buildings or Places within their respective Unions, and which said Notices shall specify the several Acts required to be done for the Purpose of registering any Marriage under the Provisions of this Act.

Register Books to be provided.

6. The Registrar General shall cause to be provided such Number of Register Books and Forms as shall be necessary to the Execution of this Act; and the said Register Books shall be of durable Materials, and in them shall be printed on each Side of every Leaf the Heads of Information herein required to be known and registered in respect of Marriages, and every Page of each of such Books shall be numbered progressively from the Beginning to the End of the Book, beginning with Number One, and every Place of Entry shall be also numbered progressively from the Beginning to the End of the Book, beginning with Number One, and every Entry shall be divided from the following Entry by a printed Line; and the Registrar General shall furnish for the Use of the Registrars a sufficient Number of Register Books of Marriages and such other Forms as may from Time to Time be required for the Purposes of this Act.

Registrars, under Registration, &c. Act, to be Registrars for Purposes of this Act.

7. The several Superintendent Registrars and Registrars Districts which shall from Time to Time be made under the Provisions of the Registration of Births and Deaths (*Ireland*) Act shall be the Superintendent Registrars and Registrars Districts for the Purposes of this Act.

Lord Lieutenant, or Registrar General with his Approbation, may alter Bound-

8. The Lord Lieutenant, or the Registrar General with his Approbation, shall have Power, from Time to Time as may be deemed expedient, to alter the Boundaries of the Districts formed under the Provisions of the said recited Act passed in the Seventh and Eighth Years of Her Majesty, Chapter Eighty-one, and to form new Districts, and in the event of any new District being so formed to appoint fit Persons to be Registrars for such Districts;

Districts; and every such Registrar shall hold his Office during the Pleasure of the Registrar General. aries of Districts.

9. Every Registrar of Marriages, appointed under the said recited Act or this Act, shall have the Power, subject to the Approval of the Registrar General, to appoint, by Writing under his Hand, a fit Person to act as his Deputy in case of the Illness or Absence of such Registrar, and every such Deputy Registrar while so acting shall have all the Powers and Duties and be subject to all the Provisions and Penalties declared by the said recited Act and this Act concerning Registrars of Marriages, and in case of the Death of the Registrar shall act as Registrar until another be appointed, and every Registrar shall be civilly responsible for the Acts and Omissions of his Deputy. Registrar of Marriages may, subject to Approval of Registrar General, appoint a Deputy.

10. The several Superintendent Registrars and Registrars of the several Districts, and their respective Deputies, appointed from Time to Time and acting under the Provisions of the said last-recited Act, shall from Time to Time be the Superintendent Registrars and Registrars of their respective Districts for the Purposes of this Act, if they think fit to accept such Office; and in the event of their Refusal to act, the Guardians of the Union shall appoint a Person, with such Qualifications as the Registrar General may declare to be necessary, to be the Superintendent Registrar or Registrar under this Act; and every such Superintendent Registrar and Registrar shall hold his Office during the Pleasure of the Registrar General. Registrars under said Act to act for Purposes of this Act.

11. In all Cases of Marriages which may be legally solemnized in *Ireland*, and which do not come within the Provisions of the said Act of the Seventh and Eighth Years of Her Majesty, Chapter Eighty-one, or any Act amending the same, the Parties about to contract any such Marriage shall produce to the Clergyman celebrating the Marriage a Certificate according to the Form A. in the Schedule hereunto annexed, which Certificate shall be procured by the Parties contracting the Marriage, previous to its Solemnization, from the Registrar of the District appointed under this Act within which such Marriage is intended to be solemnized, who shall be bound, as far as possible, without Fee or Reward, to fill up the said Schedule, and it shall be signed by the Parties contracting the Marriage and by the Witnesses present thereat, not being less than Two, and also by the said Clergyman; and the Parties contracting the Marriage shall within Three Days thereafter either deliver or send by Post such Certificate to the Registrar of Marriages appointed under this Act for the District wherein the Marriage was solemnized; and the Husband shall in case of Failure so to deliver or send such Certificate be liable in a Penalty not exceeding Ten Pounds, to be recovered as herein-after provided. Provision for Marriages not within Provisions of 7 & 8 Vict. c. 81.

12. In case of the Inability to write of any Person whose Signature is required or necessary under this Act, it shall be lawful for such Person to make such Signature by making a Cross or other Mark, which shall be made in the Presence of the Clergyman or Two Witnesses, who shall attest the same, and such Mark shall be in all respects as binding and effectual as the Signature of such Person, if capable of writing, would have been. Persons unable to write may sign by making a Cross.

13. Every Registrar, on Receipt of any such Certificate, shall forthwith enter the Particulars thereof in the Register Book: Provided always, that if any Error shall be discovered to have been committed in the Entry of Marriage in any Register, the Person discovering the same shall forthwith give Information thereof to the Justice or Justices at the Petty Sessions of the District within which such Marriage shall have been solemnized, or, if within the *Dublin* Metropolitan Police District, to a Divisional Justice or Justices within the said District; and it shall be lawful for the said Justice or Justices, and they are hereby authorized and required, thereupon, or upon otherwise coming to the Knowledge of such erroneous Entry, to summon before them the Person who made and any Person concerned in making such erroneous Entry or having any Knowledge regarding the same, and also any Person interested in the Effect of such erroneous Entry, and to examine all such Persons on Oath; and if the said Justice or Justices shall be satisfied that any Error has been committed in any such Entry, such Justice or Justices shall, by Authority in Writing under his or their Hands, direct the Registrar to correct the erroneous Entry; and it shall be lawful for the Registrar, and he is hereby required, thereupon to correct the Particulars of Certificates to be entered in Register Books. Correction of erroneous Entries.

erroneous Entry according to the Truth of the Case, by Entry in the Margin, without any Alteration of the original Entry; and such marginal Entry shall contain a Reference to the Deposition upon which the said Justice or Justices directed the Correction to be made, and shall be dated on the Day on which it is made, and signed by the Parties applying for the Correction and by the Registrar; and in every Case the Registrar shall make the like Alteration in the certified Copy of the Register Book to be made by him as herein-after provided; provided that in case such certified Copy shall have been already made he shall make and deliver in like Manner a separate certified Copy of the original erroneous Entry and of the marginal Correction therein made.

Returns.

Certified Copies of Entries of Marriages to be sent quarterly, and the Register Books, when filled, to the Superintendent Registrar.

14. In the Months of *April, July, October,* and *January,* on such Days as shall from Time to Time be appointed by the Registrar General, every Registrar shall make and deliver to the Superintendent Registrar of his District on durable Materials, a true Copy, certified by him under his Hand, according to the Form B. in the Schedule to this Act annexed, of all the Entries of Marriages made during the Quarter of a Year last preceding the First Day of each of the several Months herein-before mentioned respectively, in the Register Books kept by him, the first of such certified Copies to be given in the Month of *April* in the Year One thousand eight hundred and sixty-four, and the Superintendent Registrar shall examine the same, and if found to be correct shall certify the same under his Hand to be a true Copy: If there shall have been no Marriages registered since the Delivery of the last Certificate the Registrar shall certify the Fact, and such Certificate shall be delivered to the Superintendent Registrar as aforesaid, and be countersigned by him: The Registrar shall keep safely the Register Book furnished to him as herein-before mentioned until it shall be filled, and shall then deliver it to the Superintendent Registrar, to be kept by him with the Records of his Office.

Superintendent Registrars to send certified Copies of Registers of Marriages to Registrar General.

15. Every Superintendent Registrar shall Four Times in every Year, on such Days as shall be named for the Purpose by the Registrar General, send to the Registrar General all the certified Copies of the Registers of Marriages which he shall have received from the Registrars of Marriages as aforesaid for the Quarter of a Year last preceding the First Day of each of the several Months herein-before mentioned respectively, in the Form B. in the Schedule to this Act annexed; and the Registrar General, if it shall appear, by Interruption of the regular Progression of Numbers or otherwise, that the Copy of any Part of any Book has not been duly delivered to him, shall procure, as far as possible, consistently with the Provisions of this Act, that the same may be remedied and supplied. The certified Copies so sent to the General Register Office shall be thereafter kept in the said Office in such Order and Manner as the Registrar General, under the Direction of the Lord Lieutenant, shall think fit, so that the same may be most readily seen and examined.

Abstract of Registers to be laid annually before Parliament.

16. The Registrar General shall once in every Year transmit to the Lord Lieutenant a General Abstract of the Numbers of Marriages registered during the foregoing Year, in such Form and at such Date as the Lord Lieutenant shall from Time to Time prescribe; and every such Annual General Abstract shall be laid before Parliament within One Month after Receipt thereof, or, if Parliament shall not be then sitting, within One Month after the Commencement of the next Session.

Indexes to be kept at General Register Office. Searches allowed and certified Copies given.

17. The Registrar General shall cause Indexes of all the Registers herein mentioned to be made and kept in the General Register Office; and every Person shall be entitled to search the said Indexes between the Hours of Ten in the Morning and Four in the Afternoon of every Day, except *Sundays, Christmas Day,* and *Good Friday,* and to have a certified Copy of any Entry in the said Registers; and for every General Search of the said Indexes the Sum of Twenty Shillings, and for every Particular Search the Sum of One Shilling, and for every such certified Copy the Sum of Two Shillings and Sixpence, shall be paid to the Registrar General or such other Officer as shall be appointed to receive such Fees on his Account, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

18. Every

Indexes to be made at every Superintendent Registrar's Office, and Persons allowed to search them.

18. Every Superintendent Registrar shall cause Indexes of the Register Books in his Office to be made and kept with the other Records of his Office. Every Person shall be entitled, on such Days and at such reasonable Hours as shall be directed by the Registrar General, to search the said Indexes, and to have a certified Copy of any Entry or Entries in the said Register Books, under the Hand and Seal of the Superintendent Registrar, on Payment of the Fees herein-after mentioned; that is to say, for every General Search the Sum of Five Shillings, and for every Particular Search the Sum of One Shilling, and for every certified Copy the Sum of Two Shillings and Sixpence, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

Persons entitled to search Register Books.

19. Every Person shall be entitled, on such Days and at such reasonable Hours as shall be directed by the Registrar General, to search such Entries in the Register Books in the Custody of the Registrars as shall not have been included in the last preceding Return made by such Registrar to his Superintendent Registrar, and to have a certified Copy of any such Entry or Entries, under the Hand and Seal of the Registrar, on Payment of the Fees herein-after mentioned; that is to say, for every such Search the Sum of Sixpence, and for every certified Copy the Sum of Two Shillings and Sixpence, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

Fees.

Superintendent Registrars to be paid for the certified Copies sent to General Register Office.

20. Every Superintendent Registrar shall make out an Account Four Times in every Year, on such Days and for such Periods as shall from Time to Time be appointed by the Registrar General, of the Number of Entries in such certified Copies so sent by him to the Registrar General, as provided by this Act, and shall send the said Account to the Registrar General. If on Examination and Comparison with the certified Copies of the Registers or Certificates received by the Registrar General, such Account shall be found correct, the Superintendent Registrar shall be entitled to receive Twopence from the Registrar General for every Entry in such certified Copies of Registers of Marriages, which shall be charged by the Registrar General to the general Expenses of his Office.

Registrars to make out an Account of Number of Marriages Four Times yearly.

21. Every Registrar shall make out an Account Four Times in each Year, on such Days and for such Periods as shall from Time to Time be appointed by the Registrar General, of the Number of Marriages which he shall have registered in pursuance of the Provisions of this Act, and the Superintendent Registrar shall verify and sign the same. The Guardians of the Union in which he shall be Registrar, on Production of the said Account, so verified and signed, shall pay to the said Registrar, out of the Monies in their Hands or Power as such Guardians, at the Rate of Sixpence for every Entry of Marriage included in such Account, and the same shall be charged to the Union at large, and such Guardians shall be and they are hereby empowered to levy off the Union at large such Sums so paid by them, and such Sums shall be included in the Rates which such Guardians are by Law empowered to levy and raise.

Persons making false Statements for Entry in Register to be subject to Penalties for Perjury.

22. Every Person who shall wilfully make or cause to be made, for the Purpose of being inserted in any Register of Marriages, any false Statement touching any of the Particulars herein required to be known and registered, shall be subject to the same Pains and Penalties as if he were guilty of Perjury.

Sects. 36. and 37. of 24 & 25 Vict. c. 98. incorporated with Act.

23. The 36th and 37th Sections of an Act passed in the 24th and 25th Years of Her Majesty, intituled *An Act to consolidate and amend the Statute Law of* England *and* Ireland *relating to indictable Offences by Forgery*, shall be incorporated with and form Part of this Act.

Penalty for Neglect of Registrar to register Marriage, &c.

24. Every Registrar who shall refuse or without reasonable Cause omit to fill up the Certificate of Marriage or register any Marriage of which he shall have received a Certificate, and every Person having the Custody of any Register Book or any Part thereof who shall carelessly lose or injure the same, or carelessly allow the same to be injured whilst in his keeping, shall forfeit a Sum not exceeding Ten Pounds for every such Offence.

25. Every

Penalty for Omission to deliver Registers to Superintendent Registrar or Registrar General.

25. Every Person who under the Provisions of this Act is required to deliver the Registers of Marriages or Copies of such Registers to any Superintendent Registrar or to the Registrar General, and who, after being duly required to deliver such Register or Copies as aforesaid, shall refuse or during One Calendar Month neglect so to do, shall be liable for every such Offence to forfeit a Sum not exceeding Ten Pounds.

Penalties how recoverable.

26. Any Penalty recoverable under the Provisions of this Act shall be recoverable in a summary Way, with respect to the Police District of *Dublin* Metropolis, subject and according to the Provisions of any Act regulating the Powers and Duties of Justices of the Peace for such District, or of the Police of such District, and, with respect to other Parts of *Ireland*, before a Justice or Justices of the Peace sitting in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same.

14 & 15 Vict. c. 93.

Not to affect Law of Marriage in Ireland.

27. Nothing in this Act contained shall affect the Law of Marriage in *Ireland*.

SCHEDULE.

Form A.

18 .—Marriages solemnized at the Roman Catholic Chapel of ( ), in the Registrar's District of ( ), in the Union of ( ), in the County of ( ).

No.	When married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at the Time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
1	27 March 18 .	Patrick Donovan	Of full Age.	Bachelor	Carpenter	3, South Street	Peter Donovan -	Upholsterer.
		Mary O'Brien -	Minor	Spinster	—	17, High Street	Laurence O'Brien	Butcher.

Married in the Roman Catholic Chapel of ( ) according to the Rites and Ceremonies of the Roman Catholic Church,

By me, [*William Jackson*].

This Marriage was solemnized between us, { *Patrick Donovan*, *Mary O'Brien*, } in the Presence of us, { *Dennis Donovan*. *Laurence O'Brien*.

Form B.

I ( ), Registrar of Births, Deaths, and Marriages in the District of ( ) in the Union of ( ) in the County of ( ), do hereby certify, That this is a true Copy of the Registrar's Book of Marriages within the said District from the Entry of the Marriage of ( ), No. ( ), to the Entry of the Marriage of ( ), No. ( ).

Witness my Hand, this Day of 18 .

( ) Registrar.

[The Particulars in this Schedule to be entered according to the Fact.]