CAP. LXXXVI.

An Act to make Provision respecting the Marriages of *British* Subjects in the *Ionian Islands*. [6th *August* 1860.]

'WHEREAS it is expedient to make Provision respecting Marriages which have been or may hereafter be contracted by Subjects of Her Majesty in the *Ionian Islands*:' 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:

Marriages already contracted in the Ionian Islands to be valid.

I. All Marriages between Subjects of Her Majesty, or to which any such Subject shall be Party, contracted in the said Islands before the passing of this Act, under Authority of any Warrant, Licence, or other written Permission of the Lord High Commissioner of the said Islands, at whatever Hour, in whatever Place, or by whatever Ceremony the same may have been solemnized, shall be deemed to be as valid in Law, and cognizable in like Manner as if the same had been solemnized within Her Majesty's Dominions with a due Observance of all Forms required by the Law: Provided always, that this Enactment shall not extend to render valid any Marriage which before the passing of this Act has been declared invalid by any Court of competent Jurisdiction, or any Right dependent on the Validity or Invalidity thereof, or any Marriage where either of the Parties has afterwards during the Life of the other lawfully intermarried with any other Person.

Mode of contracting Marriages.

II. All Marriages between Subjects of Her Majesty, or to which such Subjects shall be Party, which shall be contracted in the said Islands after the passing of this Act, under Authority of any Licence granted by the said Lord High Commissioner, or by any Officer authorized by him to grant such Licences, shall be deemed to be valid and cognizable as aforesaid, provided the same shall have been solemnized in manner herein-after mentioned; that is to say,

(1.) Every such Marriage shall be solemnized, with open Doors, in the Place specified in such Licence, being either some Christian Place of Worship, or the Palace of the Lord High Commissioner at *Corfu*, or the Residence of the Resident of the Lord High Commissioner in any other of the said Islands.

(2.) Every such Marriage shall be solemnized between the Hours and within the Period specified in such Licence, and in the Presence of Two or more Witnesses, and of the Officiating Minister, or, if there be no Officiating Minister, of the Secretary of the Lord High Commissioner, or of such Resident as aforesaid:

(3.) The Ceremony of Marriage, if solemnized in any Christian Place of Worship, shall be such as may be required or permitted by the Persons entitled to regulate the Use of the said Place of Worship; and, if solemnized in any other Place, may be such as the Parties thereto may think fit to adopt; provided only, that if such Marriage shall not be solemnized according to the Rites of the United Churches of *England* and *Ireland*, then, in some Part of the Ceremony, and in the Presence of the Two Witnesses, and, as the Case may be, of the said Secretary or Resident or Officiating Minister, each of the Parties shall make the following Declaration:

"I do solemnly declare that I know not of any lawful Impediment why I, *A.B.*, may not be joined in lawful Matrimony to *C.D.*":

And shall say to each other—

"I call upon these Persons here present to witness that I, *A.B.*, do take thee, *C.D.*, to be my lawful wedded Wife [*or* Husband]."

Certificate of Marriage to be signed in Presence of Two Witnesses.

III. Immediately after the Solemnization of any Marriage under the Provisions of this Act, a Certificate of the same shall, in the Presence of the Two Witnesses, be signed in triplicate by the Parties thereto, and, as the Case may be, by the said Officiating Minister, Secretary, or Resident; and One Copy of such Certificate shall be delivered to the Parties to the Marriage, and the other Copies shall be transmitted to the Lord High Commissioner, and shall be registered in such Manner as he shall appoint; and a Copy of such Registry, purporting to be certified under the Hand and official Seal of the said Secretary, shall be received

received as Evidence in the Law of the Marriage to which it relates, without its being necessary for any Person signing such Copy or Registry to attend in Person to prove the same.

Entries of Marriages to be reported to Registrar General.

IV. In the Month of *January* in every Year the said Lord High Commissioner, or any Officer authorized by him, shall make and transmit to One of Her Majesty's Principal Secretaries of State, to be transmitted by him to the Registrar General, a true Copy, certified under the Hand of the Lord High Commissioner or that of the Officer authorized by him, of all the Entries of Marriages during the preceding Year in the Register Book kept by the said Lord High Commissioner; and if there shall have been no Marriage registered during the preceding Year, the Lord High Commissioner, or such authorized Officer, shall transmit a Certificate of such Fact to Her Majesty's Secretary of State, to be transmitted by him to the Registrar General.

Copies to be kept by Registrar General, who shall allow Searches to be made and give certified Copies.

V. The Registrar General shall cause Indexes of all the said certified Copies of Marriage Registers to be made and kept in the General Register Office; and every Person shall be entitled, on Payment of the Fees herein-after mentioned, 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 certified Copies of the Registers; and for every Search of the said Indexes shall be paid the Sum of One Shilling, and for every such certified Copy the Sum of Two Shillings and Sixpence, and no more, shall be paid to the Registrar General, or such other Officer as shall be appointed for that Purpose on his account, in addition to the Stamp Duty of One Penny imposed by an Act of the present Session, Chapter Fifteen.

Such Copies to be Evidence.

VI. The Registrar General shall cause to be sealed or stamped, with the Seal of the General Register Office, all such certified Copies of Marriage Entries given in the said Office, and all certified Copies of Entries purporting to be sealed or stamped with the Seal of the said Register Office shall be received as Evidence of the Marriage to which the same relates, without any further or other Proof of such Entry; and no certified Copy, purporting to be given in the said Office, shall be of any Force or Effect which is not sealed or stamped as aforesaid.

Lord High Commissioners may make Regulations as to Form of Licence, &c.

VII. The Lord High Commissioner may, by Writing under his Hand and Seal, to be promulgated in such Manner as he shall think fit, make Regulations respecting the Form of the Licence and Certificate herein-before mentioned, and respecting the Conditions of issuing the said Licence, and respecting the Fees payable on the issuing of such Licence, and on the Solemnization of any Marriage, and respecting the Disposal of such Fees, and respecting the Registration of such Marriages according to the Laws of the *Ionian Islands*, and respecting all other Matters requisite for carrying into execution the Provisions of this Act; provided that no Marriage shall be deemed to be invalid in consequence of the Infraction or Non-observance of such Regulations.

As to Marriages procured by false Notices, Declarations, &c. Penalty.

VIII. If any Marriage shall be had under the Provisions of this Act by means of any wilfully false Notice, Oath, Affirmation, or Declaration made by either Party to such Marriage as to any Matter to which a Notice, Oath, Affirmation, or Declaration is required by this Act, or by any such Regulations as aforesaid, it shall be lawful for Her Majesty's Attorney General or Solicitor General to sue for the Forfeiture of all Estate and Interest in any Property accruing to the offending Party by such Marriage, and the Proceedings thereupon and the Consequences thereof shall be the same as are provided by Law in the like Case with regard to Marriages solemnized by Licence in *England* according to the Rites of the Church of *England*.

False Notice, &c. punishable as Perjury.

IX. Any Person who, for the Purpose of procuring, preventing, or delaying any Marriage, shall knowingly and wilfully make or sign any false Oath, Affirmation, Declaration, or Notice authorized or required by this Act, or by any such Regulations as aforesaid, shall suffer the Penalties of Perjury, and such Offender may be tried in any County or Place in the United Kingdom, in the same Manner, and be dealt with in all respects, as if the Offence had been committed in such County or Place.

X. In

X. In any and every Action or Suit for Forfeiture, and upon every or any Prosecution for Perjury as aforesaid, the Declaration or Certificate of the Lord High Commissioner, or of his Secretary, or of any such Resident as aforesaid, under their respective Hands and official Seals, shall be received as Evidence in the Law of all Facts and Matters stated in such Declaration or Certificate, without its being necessary for such Lord High Commissioner, Secretary, or Resident to attend in person to prove the same. Evidence.

XI. Nothing herein contained shall be construed to render invalid any Marriage heretofore or hereafter solemnized within the said Islands which Marriage was or shall be valid according to the Laws of the said Islands. Act not to invalidate Marriages otherwise lawful.

XII. The Terms "Lord High Commissioner," "Resident of the Lord High Commissioner," and "Secretary of the Lord High Commissioner," shall include respectively any Person lawfully acting in any of such Capacities. Interpretation of certain Terms.

CAP. LXXXVII.

An Act to remove Doubts as to the Authority of the Senior Member of the Council of the Governor-General of *India* in the Absence of the President.

[13th *August* 1860.]

'WHEREAS Doubts have arisen where the Governor-General of *India* has nominated some Member of his Council to be President of the said Council during his Absence under the Provisions of the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, and the President so appointed is absent owing to Indisposition or other Cause, whether it is competent to the Senior Member of the Council present at the Council to preside and exercise the Powers and Authorities which during the Absence of the Governor-General, where no such President is appointed, such Senior Member is competent to exercise under the Provisions of the Act of the Session holden in the Thirty-ninth and Fortieth Years of King *George* the Third, Chapter Seventy-nine, and it is expedient that such Doubts should be removed:' 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, as follows: 3 & 4 W. 4. c. 85. 39 & 40 G. 3. c. 79.

I. Whenever a President of the Council of the Governor-General of *India* appointed by the said Governor-General under the Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth is from Indisposition or other Cause absent from any Meeting of the Council (the Governor-General also continuing absent therefrom), it is and shall be deemed to have been lawful for the Senior Member of the Council who is present at such Meeting to preside at the Council, and to exercise the Powers and Authorities which during the Absence of the Governor-General he is competent to exercise under the Provisions of the said Act of the Thirty-ninth and Fortieth Years of King *George* the Third where no such President is appointed. During Absence of Governor-General or any President appointed by him, the Senior Member present to preside and act.

CAP. LXXXVIII.

An Act to extend certain Provisions for Admiralty Jurisdiction in the Colonies to Her Majesty's Territories in *India*.

[13th *August* 1860.]

'WHEREAS an Act was passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Ninety-six, "to provide for the Prosecution and "Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the "Admiralty," 12 & 13 Vict. c. 96.