

T A S M A N I A.



1873.

ANNO TRICESIMO-SEPTIMO

VICTORIÆ REGINÆ,

No. 12.



AN ACT to further amend the Law relating to Marriage. [31 October, 1873.] A.D. 1873.

WHEREAS by the Act of Council of the 2nd Victoria, No. 7, it was amongst other things enacted that the Society of Friends commonly called Quakers might continue to contract and solemnize Marriage according to the usages of the said Society as by Law established in England before the passing of the said Act, and every such Marriage was thereby declared and confirmed good in Law, provided that the parties to such Marriage were both Members of the said Society :

PREAMBLE.
2 Vict. No. 7, s. 3.

And whereas it is expedient to amend and extend the said recited provisions in manner hereinafter provided :

Be it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 On and after the First day of January, 1874, Marriages may be contracted and solemnized according to the usages of the Society of Friends commonly called Quakers not only in the case provided for by the said recited provisions, but also in cases where one only or where neither of the parties to the Marriage is a Member of the said Society.

Marriages of Friends with other persons may be solemnized in cases where one only or where neither of the parties is a Member of the Society of Friends.

No person who is not a Member of the said Society shall be married according to the usages thereof unless he or she is authorised thereto under or in pursuance of some General Rule or Rules of the said Society in Tasmania ; and a copy of such General Rule or Rules purporting to be signed by the Clerk of the last Monthly Meeting of the said Society

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held in *Hobart Town*, shall be admitted as evidence of such General Rule or Rules in all proceedings touching the validity of such Marriage.

No such Marriage to be valid unless a Certificate is produced to the Deputy Registrar that the parties are authorised thereto.

2 No Marriage shall be valid under this Act unless, when notice of the intention to solemnize such Marriage is given to the Deputy Registrar as required by law, a Certificate is produced to such Deputy Registrar purporting to be signed by the Clerk of the last Monthly Meeting of the said Society held in *Hobart Town*, to the effect that the party by whom or on whose behalf such notice is given, or each such party (as the case may be), is authorised thereto under or in pursuance of some General Rule or Rules of the said Society in *Tasmania*; and such Certificate shall, for all purposes, be conclusive evidence that the party by whom or on whose behalf such notice is given, or each such party (as the case may be), is duly authorised to proceed to the accomplishment of such Marriage according to the usages of the said Society; and the Register of such Marriage, or a copy thereof duly certified according to law, shall be conclusive evidence of the due production of such Certificate as aforesaid; but no such Certificate shall be required in cases where the party giving such notice shall declare either verbally or in writing, if thereunto required, that both the parties to the intended Marriage are Members of the said Society.

Enactments now in force to extend to every Marriage contracted under the authority of this Act.

3 All the enactments now in force, whether contained in the said recited Act or in any other Act, relating to Marriages contracted and solemnized according to the usages of the said Society and to the Registration thereof, so far as the same are not inconsistent with the said Act or this Act, shall extend and be applicable to every Marriage contracted and solemnized by the authority of this Act, as fully and effectually as if the same enactments were repeated herein.

Short title.

4 This Act may be cited as "The Friends' Marriage Act, 1873."