

## No. 11.—1865.

16th May.

AN ORDINANCE to enable infants, with the approbation of the Supreme Civil Court, to make binding Settlements of their Real and Personal Estate on Marriage.

(L.S.) J. H. T. MANNERS-SUTTON.

May 22, 1865.

**W**HEREAS great inconveniences and disadvantages arise in consequence of persons who marry during minority being incapable of making binding settlements of their property: For remedy thereof be it enacted by His Excellency the Governor with the advice and consent of the Legislative Council as follows:

Infants may, upon marriage, make binding settlements of their property, with the approbation of the Supreme Civil Court.

1. From and after the passing of this Ordinance it shall be lawful for every infant upon or in contemplation of his or her marriage, with the sanction of the Supreme Civil Court, to make a valid and binding settlement or contract for a settlement of all or any part of his or her property, or any property over which he or she has any power of appointment, whether real or personal, and whether in possession, reversion, remainder or expectancy; and every conveyance, appointment and assignment of such real or personal estate or contract to make a conveyance, appointment or assignment thereof, executed by such infant with the approbation of the said Court for the purpose of giving effect to such settlement, shall be as valid and effectual as if the person executing the same were of the full age of twenty-one years: Provided always that this Ordinance shall not extend to powers of which it is expressly declared that they shall not be exercised by an infant.

Any appointment or disentailing assurance, made by an infant who shall afterwards die under age, shall be void.

2. Provided always that in case any appointment under a power of appointment or any disentailing assurance shall have been executed by any infant tenant in tail under the provisions of this Ordinance, and such infant shall afterwards die under age, such appointment or disentailing assurance shall thereupon become absolutely void.

3. The sanction of the Supreme Civil Court to any such settlement or contract for a settlement may be given upon petition presented by the infant or his or her guardian in a summary way without the institution of a suit, and if there be no guardian, the Court may require a guardian to be appointed or not as the Court shall think fit; and such Court also may if they shall think fit require that any persons interested or appearing to be interested in the property should be served with notice of such petition.

Sanction of  
Supreme  
Civil Court  
may be given  
upon petition  
of infant or  
guardian.

4. Provided always that nothing in this Ordinance contained shall apply to any male infant under the age of twenty years, or to any female infant under the age of seventeen years.

Proviso not to  
extend to  
infants under  
certain ages.

Passed in Council this sixteenth day of May in the year of our Lord one thousand eight hundred and sixty-five.

DAVID B. HORSFORD,  
*Acting Clerk of the Council.*

---

## No. 13.—1865.

*1st June.*

AN ORDINANCE to alter in certain particulars the provisions of an Ordinance entitled "An Ordinance to amend the law with regard to the Solemnization and Registration of Marriages."

L.S.) J. H. T. MANNERS-SUTTON.

*1 June, 1865.*

WHEREAS an Ordinance was passed in Council on the first day of August one thousand eight hundred and sixty-three, entitled "An Ordinance to amend the law with regard to the Solemnization and Registration of Marriages": And whereas it is expedient to alter the said Ordinance in certain particulars: Be it enacted by His Excellency the Governor with the

Preamble  
Cites Ordinance No. 11  
of 1863.