

TRINIDAD AND TOBAGO.

Foreign Marriages.

No. 24.—1904.

19th December.

C. R.G. 1905
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AN ORDINANCE to give effect to the Orders in Council relating to Foreign Marriages.

[L.S.]

H. M. JACKSON,

GOVERNOR.

23rd December, 1904.

WHEREAS by an Act of the Imperial Parliament entitled the Foreign Marriage Act 1892, (55 & 56 Vic. c. 23) it is provided (Section 1) that all marriages between parties of whom one at least is a British subject solemnized in the manner in that Act provided in any foreign country or place by or before a marriage officer within the meaning of that Act shall be as valid in law as if the same had been solemnized in the United Kingdom with a due observance of all forms required by law;

And whereas the said Act also provides (Section 2) that in every case of a marriage intended to be solemnized under that Act, one of the parties intending marriage shall sign and give such notice as is therein mentioned to the marriage officer within whose district both of the parties have had

their residence not less than one week then next preceding, but the said Act makes no provision for cases where only one of the parties has had such residence;

And whereas by "The Foreign Marriages Orders in Council, 1892 and 1903," passed in pursuance of the authority in that behalf contained in the said Imperial Act, certain modifications of the requirements of the said Imperial Act as to residence and notice which appear consistent with the observance of due precautions against the solemnization of clandestine marriages, are ordered to take effect in cases where one only of the parties has dwelt within the district of the marriage officer (mentioned in the Imperial Act) and the other of such parties has dwelt elsewhere and (*inter alia*) in one of His Majesty's Colonies;

And whereas by the operation of the said Orders in Council (in relation to the last mentioned cases), it is ordered that a marriage may be solemnized under "The Foreign Marriage Act 1892," in the official house of a marriage officer in whose district one of the parties has dwelt

- (1.) If the marriage officer is satisfied that such notice has been given by the party dwelling in a Colony as may be provided by any law of that Colony giving effect to the said Orders.
- (2.) In any such case the oath, affirmation or declaration required by Section 7 of the said Imperial Act shall be made subject to the modifications thereof to which effect is given by Article 6 of the Foreign Marriages Order in Council, 1892.

And whereas by "The Foreign Marriages Order in Council, 1903" it is provided (Section 2) that the law enacted by the Legislature of a Colony shall be deemed to give effect to the said Order in Council if it makes such provisions as are hereinafter enacted;

And whereas it is expedient that provision should be made in the laws of this Colony with a view to giving effect

to the said Order in Council: Be it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Foreign Marriage Ordinance, 1904. Short title.

2. In case any person residing in this Colony intends entering into bonds of matrimony to be solemnized in any foreign country under the provisions and with the benefit of the above recited Act and Orders entitled "The Foreign Marriage Act, 1892" and "The Foreign Marriages Orders in Council, 1892 and 1903," he or she on payment of the like fee as is payable on giving a notice of marriage within the Colony shall give a notice in writing according to Form I. in the Schedule hereto of the said intended marriage to the Registrar in whose district he or she has for a period of not less than three consecutive weeks immediately preceding the giving of such notice had his or her usual place of abode. Notice of marriage to be given.

3. On the receipt by the Registrar of such notice as aforesaid, he shall on being satisfied that the same is in conformity with the requirements of this Ordinance, forthwith enter in the Marriage Notice Book kept by him under the provisions of the Ordinance No. 11—1863, the particulars set forth in such notice, and shall on the same day put up post and publish the said notice of the intended marriage in the manner prescribed for such like publications by Section 7 of the said Ordinance. Registrar to enter and post notice.

4. The Registrar having complied with the requirements of this Ordinance shall on the expiration of seven clear days after the receipt of the notice aforesaid, unless he is aware of any impediment or valid objection to the solemnization of the marriage, grant a certificate that the said notice has been given and published as aforesaid. This certificate shall be as nearly as may be according to the Form II. in the Schedule hereto. Registrar to grant certificate.

5. The person who has been granted a certificate by a Registrar as aforesaid shall cause the same to be transmitted forthwith to the district in the foreign country or place, in which district the intended marriage is to be solemnized, a Certificate to be sent to Foreign Marriage Officer.

and shall cause the same to be delivered to the marriage officer of the said district for the information and satisfaction of such officer within three months of the date when the notice of the intended marriage was given to a Registrar in this Colony.

Interpreta-
tion.

6. In this Ordinance the term "Registrar" means a District Registrar of Marriages under the Ordinances 11 of 1863 and 13—1865.

Passed in Council this 19th day of December, in the year of Our Lord one thousand nine hundred and four.

C. J. ROOKS,
Clerk of the Council.

SCHEDULE.

FORM I.

TRINIDAD AND TOBAGO.

NOTICE OF MARRIAGE UNDER THE FOREIGN MARRIAGE
ORDINANCE, 1904.

To the District Registrar of Marriages for the

Union.

I hereby give you notice that a Marriage is intended to be had within three Calendar Months from the date hereof, between me and the other party herein named and described (that is to say).

Name and Surname (if any) at full length.	Condition.	Profession.	Age.	Dwelling Place.

And I solemnly declare that (1.) I have for three consecutive weeks immediately preceding the date of this notice had my usual place of abode within the above mentioned district of _____, (2.) I believe there is no impediment of kindred or alliance or other lawful hindrance to the said marriage. (3.) Neither I nor _____ is under the age of 21 years [or as the case may be I am under the age of 21 years but I am the widow of _____ who died on the _____ day of _____] or [I am under the age of 21 years and the consent of _____ whose consent is required to my marriage is given as shown by the writing under his hand now shown to me and marked _____].

Witness my hand this _____ day of _____, 19 _____

FORM II.

REGISTRAR'S CERTIFICATE.

TRINIDAD AND TOBAGO.

Section 4.

I, _____, Registrar for the District of _____, hereby certify that on the _____ day of _____, 19 _____, (1) duly gave notice to _____ (1)State name, place of residence, condition or calling. and that all the requirements of His Britannic Majesty's "Foreign Marriages Order in Council, 1903," in respect of residence and notice so far as the said (2) is concerned have been (2) Name of party who gave notice. complied with. No objection to such intended marriage has been lodged with me.

Certified by me the said _____ this _____ day of _____, 19 _____

Registrar for the District of _____