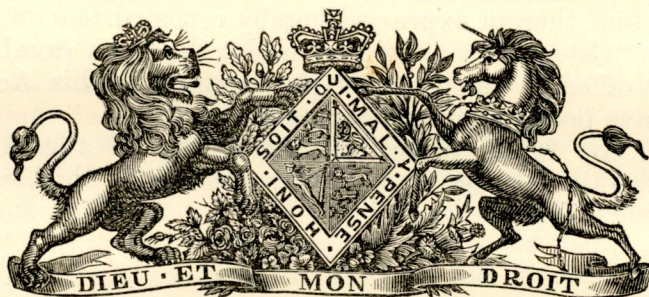


New South Wales.



ANNO SEXAGESIMO TERTIO

VICTORIÆ REGINÆ.

\*\*\*\*\*

Act No. 15, 1899.

An Act to consolidate the Acts relating to Marriage. [Assented to, 20th November, 1899.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Marriage Act 1899" and is Short title. divided into Parts as follows:—

PART I.—PRELIMINARY—ss. 1, 2.

A

PART



*Marriage.*

## PART II.—CELEBRATION OF MARRIAGES—

*Generally—ss. 3-8.**In the case of Minors—ss. 9-11.*

## PART III.—MARRIAGES NOT TO BE AVOIDED OR AFFECTED FOR CERTAIN REASONS—ss. 12-15.

## PART IV.—VALIDATION OF CERTAIN MARRIAGES—ss. 16-18.

## PART V.—MARRIAGES NOT LEGALISED—s. 19.

## PART VI.—QUAKERS AND JEWS—s. 20.

## PART VII.—PENALTIES—ss. 21-27.

Repeal.  
First Schedule.  
Officers under Acts  
hereby repealed.  
Saving clause.

2. (1) The Acts mentioned in the First Schedule to this Act are to the extent therein expressed hereby repealed.

(2) All persons appointed under the Acts hereby repealed and holding office at the time of the passing of this Act shall be deemed to have been appointed hereunder.

(3) All forms prescribed under any of the Acts hereby repealed and valid at the time of the passing of this Act shall be deemed to be valid hereunder.

## PART II.

## CELEBRATION OF MARRIAGES.

*Generally.*

Persons authorised  
to celebrate  
marriages.  
19 Vic. No. 30  
ss. 2 and 3.

3. (1) No marriage shall be celebrated except by some minister of religion ordinarily officiating as such whose name designation and usual residence have been and then continue registered in the office of the Registrar-General for marriages in Sydney or by a district registrar.

Marriages before  
registrar.  
Second and Third  
Schedules.  
*Ibid.* s. 2.

(2) Where the parties to be married sign before the registrar for marriages of the district within which the intended wife ordinarily resides a declaration in the form set forth in the Second Schedule hereto the marriage may be celebrated between such parties by such district registrar in the form of words set forth in the Third Schedule hereto to be repeated and signed by the parties to such marriage respectively.

Witnesses.  
*Ibid.* s. 7.

4. Every marriage shall be celebrated in the presence of two witnesses at least.

Declaration.  
Fourth Schedule.  
55 Vic. No. 34 s. 5 (1).

5. (1) No marriage shall be celebrated unless and until each of the parties about to be married has made on oath or solemn affirmation before the minister or registrar celebrating the marriage a declaration in the form of the Fourth Schedule hereto. (2)



*Marriage.*

(2) Such declaration shall be indorsed upon the certificate of marriage hereinafter prescribed and shall be signed by each of the parties about to be married and by the minister or registrar.

Signing declaration.  
55 Vic. No. 34 ss.  
5 (i) & 9.

(3) Every certificate of marriage shall be in the form of the Fourth Schedule hereto and every such certificate and every copy thereof shall have indorsed thereon the form of declaration set forth in the said Schedule and at the foot of every certificate there shall be printed in red ink a note in the form of the said Schedule referring to such declaration.

Certificate.  
Fourth Schedule.  
55 Vic. No. 34 s. 5.  
(ii).

(4) After the celebration of the marriage the certificate of marriage shall be signed by the minister or registrar and by the parties and by the witnesses.

Signing certificate.  
19 Vic. No. 30 s. 7.  
35 Vic. No. 34 s. 5 (i).

(5) Immediately after the marriage the minister or registrar shall deliver a copy of such certificate signed by himself to one of the parties to the marriage.

Copy certificate for parties.  
19 Vic. No. 30 s. 7.

6. Every marriage celebrated by any such minister or registrar as aforesaid after oath or solemn affirmation so made shall be a legal and valid marriage to all intents and purposes and no other marriage except as hereinafter provided shall be valid for any purpose.

Essentials for valid marriage.  
*Ibid.* s. 5.

7. Within one month after the marriage the minister celebrating the marriage shall transmit the original certificate to the registrar of the district within which the marriage was celebrated.

Transmission of original certificate.  
*Ibid.* s. 7.

8. The Registrar-General shall at the public expense furnish forms of marriage certificates with the declaration indorsed thereon as prescribed by this Act to every district registrar of marriages and to every duly registered officiating minister.

Registrar-General to supply forms.  
19 Vic. No. 34 s. 8.  
55 Vic. No. 34 s. 5.  
(iii).

*In the case of Minors.*

9. If either party to any intended marriage not being a widower or widow is under the age of twenty-one years such marriage shall not take place without production to the minister or registrar about to celebrate the same—

Consent in case of minority.  
19 Vic. No. 30 s. 10.

- (a) of the written consent of the father of such party if within New South Wales or if not within New South Wales then of a guardian appointed by the father or
- (b) if there be no such guardian in New South Wales then the written consent of the mother of such party if within New South Wales or
- (c) where there is no such parent or guardian in New South Wales or he or she is incapable of duly consenting by reason of distance habitual intoxication or mental incapacity then the written consent of some justice of the peace appointed for that purpose. Such justice shall make inquiry on oath as to the facts and circumstances of the case before giving his consent.



---

*Marriage.*


---

Appointment of justices to consent.  
*Ibid.* s. 11.

**10.** (1) For the purposes mentioned in the foregoing section the Judges of the Supreme Court shall appoint from time to time one or more justice or justices of the peace in every registrar's district who shall by virtue of such appointment give consent in such cases as aforesaid.

Notification of appointment.

(2) Every such appointment shall be notified by the said Judges in the Gazette.

Consent to be endorsed on certificate.

*Ibid.* s. 12.

**11.** When a marriage is celebrated upon the production of any such written consent as aforesaid a statement of the fact of such consent shall be indorsed on the certificate of such marriage and on the copy thereof signed respectively by the minister or registrar celebrating the same.

---

 PART III.

## MARRIAGES NOT TO BE AVOIDED OR AFFECTED FOR CERTAIN REASONS.

Celebration by person not a minister.  
*Ibid.* s. 6.

**12.** No marriage in fact shall be avoided by reason only of the same having been celebrated by a person not being a minister or ordinarily officiating minister of religion if either of the parties to the marriage at the time bonâ fide believed that he was such ordinarily officiating minister.

Defect or error in declaration.  
*Ibid.* s. 13.

**13.** No marriage shall be deemed to have been unduly celebrated by reason only of any mere defect or error in the declaration made respecting the same where the identity of the parties to the marriage is not in question.

Omission of minister to register his name &c.  
*Ibid.* s. 21.

**14.** No marriage shall be affected by reason of the omission by the minister celebrating the same to cause his name designation or usual residence to be registered according to this Act.

Omission to make declaration.  
55 Vic. No. 34 s. 6.

**15.** No marriage celebrated in New South Wales shall be deemed to be or be declared invalid by reason only of the fact that both or either of the parties to such marriage have not made a declaration as required by this Act.

---

 PART IV.

## VALIDATION OF CERTAIN MARRIAGES.

Marriages before 1st March 1856.  
19 Vic. No. 30 s. 14.

**16.** Every marriage celebrated in New South Wales before the first day of March one thousand eight hundred and fifty-six by any minister of religion or person ordinarily officiating as such shall be and be deemed to have been from the time of the celebration thereof a perfectly legal and valid marriage to all intents and purposes notwithstanding any non-compliance with forms or other irregularity attending the celebration.



*Marriage.*

17. No marriage celebrated in New South Wales on or after the first day of March one thousand eight hundred and fifty-six shall be deemed or declared invalid by reason only of the fact that both or either of the parties to such marriage may not have made the declaration required by section four of the Act nineteenth Victoria number thirty :

Marriages on or after  
1st March 1856.  
55 Vic. No. 34 s. 2  
(1) (11).

Provided that no marriage declared invalid by any competent Court before the passing of this Act shall be validated by anything herein contained.

18. Every marriage otherwise lawful heretofore or hereafter celebrated in New South Wales between any person and the sister of his deceased wife shall be deemed and is hereby declared to have been and to be valid and of full force and effect any law or custom to the contrary notwithstanding.

Marriage with  
deceased wife's  
sister.  
39 Vic. No. 20 s. 1.

## PART V.

## MARRIAGES NOT LEGALISED.

19. Nothing in sections six or sixteen contained shall legalise any marriage

Certain marriages  
not legalised.  
19 Vic. No. 30 s. 15.  
55 Vic. No. 34 s. 2  
(11).

- (a) heretofore declared invalid by any competent Court
- (b) where either party thereto had another wife or husband then living
- (c) which would have been or would be void but for the provisions of the said sections by reason of relationship kindred or alliance or of fraud or incapacity to contract marriage
- (d) where (the same being at the time of its celebration invalid) either of the parties thereto afterwards and before the thirtieth day of November one thousand eight hundred and fifty-five intermarried with some other person

## PART VI.

## QUAKERS AND JEWS.

20. (1) Except as hereinafter provided nothing in this Act shall extend to any marriage between parties of whom both are Quakers or Jews.

Act not to apply.  
19 Vic. No. 30 s. 8.  
55 Vic. No. 34 s. 10.

(2) Every marriage celebrated between parties being both Quakers or both Jews shall be as legal and valid as if duly solemnised under

Such marriages  
valid.  
19 Vic. No. 30 s. 9.



*Marriage.*

under the provisions of this Act if such marriage was when celebrated a valid marriage according to the usages of the Quakers or Jews as the case may be.

Certificate of such marriage to be sent to registrar.  
*Ibid.* s. 8.

(3) A certificate of every such marriage shall within ten days next following be transmitted to the registrar of the district within which it was celebrated by the person celebrating the marriage or by one of the parties thereto stating the date and place of such marriage and the name designation and usual residence of each of those parties.

## PART VII.

## PENALTIES.

Minister celebrating marriage when unregistered.  
19 Vic. No. 30 ss. 21 and 17.

**21.** (1) Every minister or person officiating as such who celebrates any marriage knowing that his name designation or usual residence has not been or is not then duly registered shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years or

(2) If the omission was accidental or by inadvertence shall be liable to a fine not exceeding twenty pounds to be recovered by proceeding in a summary way before two justices of the peace.

Omission to transmit certificate.  
*Ibid.* s. 22.

**22.** (1) Every minister or person having celebrated any marriage who fails to comply with the provisions of this Act or any of them respecting the certificate to be transmitted to the district registrar shall be liable to a fine of not less than ten and not exceeding fifty pounds to be recovered by proceeding in a summary way before two justices of the peace.

Under s. 20.  
*Ibid.*

(2) In cases within the twentieth section of this Act where no person has celebrated the marriage other than the parties thereto themselves the like penalty shall attach to the husband in case the certificate thereby required is not duly transmitted.

Celebrating marriage without complying with Act.  
*Ibid.* s. 17  
55 Vic. No. 34 s. 7.

**23.** Every minister district registrar or other person who celebrates or professes or attempts to celebrate any marriage in any case contrary to any of the provisions of this Act or where any provisions or requirements of this Act have not been complied with shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years.

Parties marrying without making declaration.  
55 Vic. No. 34 s. 8.  
Knowingly celebrating marriage of a minor without consent.  
19 Vic. No. 30 s. 17.

**24.** Every person who goes through the ceremony of marriage without having first made and signed the declaration required by this Act shall be guilty of a misdemeanour.

**25.** Every minister district registrar or other person who celebrates or professes or attempts to celebrate marriage in the case of any person



*Marriage.*

person under the age of twenty-one years not being a widower or widow without a written consent as required by section nine hereof knowing him or her to be under that age or knowing that the consent produced is not by the appropriate person shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years.

26. Every person who—

- (a) wilfully marries a person under the age of twenty-one years and whom he or she knows to be under that age without having previously obtained a written consent as required by section nine hereof or
- (b) induces or endeavours to induce any minister registrar or other person to celebrate marriage between parties one of whom he or she knows to be under age without such consent or
- (c) abets or assists the offender in any such act knowing the same to be illegal

Knowingly marrying a minor without consent.  
19 Vic. No. 30 s. 19.

shall be guilty of a misdemeanour and be liable to such punishment by fine not exceeding five hundred pounds or imprisonment not exceeding five years or both as the Court may award

27. (1) Every person who objects to take an oath under the provisions of this Act may make in lieu thereof a solemn affirmation or be examined as the case may be upon his solemn affirmation.

Affirmation instead of oath.  
*Ibid.* s. 18.

(2) Any person who wilfully makes any false statement on oath or by solemn affirmation before any minister or registrar or before any justice of the peace appointed under any of the provisions of this Act or intended or purporting so to be shall be deemed guilty of perjury and be liable to prosecution and punishment accordingly.

Perjury.  
*Ibid.*

SCHEDULES.

FIRST SCHEDULE.

Sec. 2.

Acts repealed.	Title or short title.	Extent of repeal.
19 Vic. No. 30 ...	An Act to amend and consolidate the Laws affecting the Solemnization of Marriage.	The whole unrepealed portion.
39 Vic. No. 20 ...	An Act to declare valid the marriage of a man with the sister of his deceased wife.	The whole unrepealed portion.
55 Vic. No. 34 ...	The "Marriages Validation and Marriage Law Amendment Act of 1892."	The whole.

SECOND



---

*Marriage.*

---

Section 3 (2).

## SECOND SCHEDULE.

*Form of Declaration to authorise Marriage before District Registrar.*

WE *Thomas Williams* of [*usual place of residence and designation or employment*] and *Mary Edwards* of [*usual place of residence and employment*] do hereby declare that we are desirous of being married but that we conscientiously object to be married by a minister of religion [*or "but that there is no minister of religion accessible for the purpose of solemnising our marriage"*].

Signed by the parties this            day of            18            before me  
(*Signatures.*)

Section 3 (2).

## THIRD SCHEDULE.

*Form of Marriage before Registrar.*

I *Thomas Williams* of [*usual place of residence and designation or employment*] do hereby declare in the presence of A.B. registrar of marriages for the district of *Bathurst* that I take *Mary Edwards* of [*usual place of residence and designation or employment*] to be my lawful wife And I the said *Mary Edwards* do declare that I take the said *Thomas Williams* to be my lawful husband.

(*Signatures.*)

Section 5 (1) (3).

## FOURTH SCHEDULE.

*Declaration before District Registrar or Minister to be indorsed on marriage certificate form.*

I *Thomas Williams* of [*place of residence condition and designation or employment*] being duly sworn do on my oath declare [*or if objecting to take an oath do solemnly and sincerely declare and affirm*] that I have attained the age of twenty-one years [*or if not of the age of twenty-one years and not a widower*] that I have duly obtained the written consent required by the Marriage Act No. 1899 and I believe there is no impediment or lawful objection by reason of any kindred relationship or alliance or any former marriage or the want of consent of parents or guardians or any other lawful cause to my being married to [*Mary Edwards*] of [*place of residence condition and designation or employment*] daughter of [*James Edwards*] of [*place of residence and designation*] and I hereby further declare that I have full knowledge that if I swear or affirm falsely I shall be guilty of perjury and be liable to be punished accordingly.

(*Signature of Thomas Williams.*)

And I the said *Mary Edwards* [*condition*] being duly sworn do on my oath declare [*or if objecting to take an oath do solemnly and sincerely declare and affirm*] that I have attained the age of twenty-one years [*or if not of the age of twenty-one years and not a widow*] that I have duly obtained the written consent required by the Marriage Act No. 1899 and I believe there is no impediment or lawful objection by reason of any kindred relationship or alliance or any former marriage or the want of consent of parents or guardians or any other lawful cause to my being married to the said *Thomas Williams* And I hereby further declare that I have full knowledge that if I swear or affirm falsely I shall be guilty of perjury and be liable to be punished accordingly.

(*Signature of Mary Edwards.*)

Declared and sworn (*or "and affirmed"*) by both the parties named this            day of  
 18            Before me

(*Signature and designation of minister or registrar.*)

*Certificate*



---

*Marriage.*

---

*Certificate of marriage.*

I [name of minister or registrar] being [designation] do hereby certify that I have this day at [place] duly celebrated marriage between [name designation and residence of husband] and [name designation and residence of wife] after declaration duly made before me as by law required.

Dated this                      day of

18

(Signature of minister or registrar.)

A.B.

Signatures of parties { C.D.  
to marriage.            { E.F.

Signatures of { G.H.  
witnesses.     { J.K.

NOTE (to be printed in red ink)—“The declaration on the back hereof must be duly made and signed otherwise the parties and the officiating minister or registrar are liable to the punishment by law provided in that behalf.”

---

By Authority : WILLIAM APPELGATE GULLICK, Government Printer, Sydney, 1899.

[9d.]

B





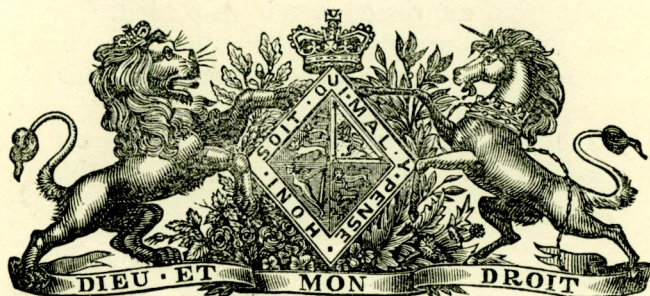


*I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Legislative Council Chamber,  
Sydney, 8th November, 1899.* }

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO SEXAGESIMO TERTIO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

Act No. 15, 1899.

An Act to consolidate the Acts relating to Marriage. [Assented to, 20th November, 1899.]

**B**E it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

### PART I.

#### PRELIMINARY.

1. This Act may be cited as the "Marriage Act 1899" and is Short title. divided into Parts as follows:—

PART I.—PRELIMINARY—ss. 1, 2.

PART



---

*Marriage.*

---

## PART II.—CELEBRATION OF MARRIAGES—

*Generally*—ss. 3-8.*In the case of Minors*—ss. 9-11.

PART III.—MARRIAGES NOT TO BE AVOIDED OR AFFECTED FOR CERTAIN REASONS—ss. 12-15.

PART IV.—VALIDATION OF CERTAIN MARRIAGES—ss. 16-18.

PART V.—MARRIAGES NOT LEGALISED—s. 19.

PART VI.—QUAKERS AND JEWS—s. 20.

PART VII.—PENALTIES—ss. 21-27.

Repeal.  
First Schedule.  
Officers under Acts  
hereby repealed.  
Saving clause.

2. (1) The Acts mentioned in the First Schedule to this Act are to the extent therein expressed hereby repealed.

(2) All persons appointed under the Acts hereby repealed and holding office at the time of the passing of this Act shall be deemed to have been appointed hereunder.

(3) All forms prescribed under any of the Acts hereby repealed and valid at the time of the passing of this Act shall be deemed to be valid hereunder.

## PART II.

## CELEBRATION OF MARRIAGES.

*Generally.*

Persons authorised  
to celebrate  
marriages.  
19 Vic. No. 30  
ss. 2 and 3.

3. (1) No marriage shall be celebrated except by some minister of religion ordinarily officiating as such whose name designation and usual residence have been and then continue registered in the office of the Registrar-General for marriages in Sydney or by a district registrar.

Marriages before  
registrar.  
Second and Third  
Schedules.  
*Ibid.* s. 2.

(2) Where the parties to be married sign before the registrar for marriages of the district within which the intended wife ordinarily resides a declaration in the form set forth in the Second Schedule hereto the marriage may be celebrated between such parties by such district registrar in the form of words set forth in the Third Schedule hereto to be repeated and signed by the parties to such marriage respectively.

Witnesses.  
*Ibid.* s. 7.

4. Every marriage shall be celebrated in the presence of two witnesses at least.

Declaration.  
Fourth Schedule.  
55 Vic. No. 34 s. 5 (1).

5. (1) No marriage shall be celebrated unless and until each of the parties about to be married has made on oath or solemn affirmation before the minister or registrar celebrating the marriage a declaration in the form of the Fourth Schedule hereto. (2)



*Marriage.*

(2) Such declaration shall be indorsed upon the certificate of marriage hereinafter prescribed and shall be signed by each of the parties about to be married and by the minister or registrar.

Signing declaration.  
55 Vic. No. 34 ss.  
5 (i) & 9.

(3) Every certificate of marriage shall be in the form of the Fourth Schedule hereto and every such certificate and every copy thereof shall have indorsed thereon the form of declaration set forth in the said Schedule and at the foot of every certificate there shall be printed in red ink a note in the form of the said Schedule referring to such declaration.

Certificate.  
Fourth Schedule.  
55 Vic. No. 34 s. 5.  
(ii).

(4) After the celebration of the marriage the certificate of marriage shall be signed by the minister or registrar and by the parties and by the witnesses.

Signing certificate.  
19 Vic. No. 30 s. 7.  
35 Vic. No. 34 s. 5 (i).

(5) Immediately after the marriage the minister or registrar shall deliver a copy of such certificate signed by himself to one of the parties to the marriage.

Copy certificate for parties.  
19 Vic. No. 30 s. 7.

6. Every marriage celebrated by any such minister or registrar as aforesaid after oath or solemn affirmation so made shall be a legal and valid marriage to all intents and purposes and no other marriage except as hereinafter provided shall be valid for any purpose.

Essentials for valid marriage.  
*Ibid.* s. 5.

7. Within one month after the marriage the minister celebrating the marriage shall transmit the original certificate to the registrar of the district within which the marriage was celebrated.

Transmission of original certificate.  
*Ibid.* s. 7.

8. The Registrar-General shall at the public expense furnish forms of marriage certificates with the declaration indorsed thereon as prescribed by this Act to every district registrar of marriages and to every duly registered officiating minister.

Registrar-General to supply forms.  
19 Vic. No. 34 s. 8.  
55 Vic. No. 34 s. 5.  
(iii).

*In the case of Minors.*

9. If either party to any intended marriage not being a widower or widow is under the age of twenty-one years such marriage shall not take place without production to the minister or registrar about to celebrate the same—

Consent in case of minority.  
19 Vic. No. 30 s. 10.

- (a) of the written consent of the father of such party if within New South Wales or if not within New South Wales then of a guardian appointed by the father or
- (b) if there be no such guardian in New South Wales then the written consent of the mother of such party if within New South Wales or
- (c) where there is no such parent or guardian in New South Wales or he or she is incapable of duly consenting by reason of distance habitual intoxication or mental incapacity then the written consent of some justice of the peace appointed for that purpose. Such justice shall make inquiry on oath as to the facts and circumstances of the case before giving his consent.



---

*Marriage.*

---

Appointment of  
justices to consent.  
*Ibid.* s. 11.

**10.** (1) For the purposes mentioned in the foregoing section the Judges of the Supreme Court shall appoint from time to time one or more justice or justices of the peace in every registrar's district who shall by virtue of such appointment give consent in such cases as aforesaid.

Notification of  
appointment.

(2) Every such appointment shall be notified by the said Judges in the Gazette.

Consent to be  
endorsed on  
certificate.  
*Ibid.* s. 12.

**11.** When a marriage is celebrated upon the production of any such written consent as aforesaid a statement of the fact of such consent shall be indorsed on the certificate of such marriage and on the copy thereof signed respectively by the minister or registrar celebrating the same.

---

PART III.

MARRIAGES NOT TO BE AVOIDED OR AFFECTED FOR CERTAIN REASONS.

Celebration by  
person not a  
minister.  
*Ibid.* s. 6.

**12.** No marriage in fact shall be avoided by reason only of the same having been celebrated by a person not being a minister or ordinarily officiating minister of religion if either of the parties to the marriage at the time bonâ fide believed that he was such ordinarily officiating minister.

Defect or error in  
declaration.  
*Ibid.* s. 13.

**13.** No marriage shall be deemed to have been unduly celebrated by reason only of any mere defect or error in the declaration made respecting the same where the identity of the parties to the marriage is not in question.

Omission of minister  
to register his name  
&c.  
*Ibid.* s. 21.

**14.** No marriage shall be affected by reason of the omission by the minister celebrating the same to cause his name designation or usual residence to be registered according to this Act.

Omission to make  
declaration.  
55 Vic. No. 34 s. 6.

**15.** No marriage celebrated in New South Wales shall be deemed to be or be declared invalid by reason only of the fact that both or either of the parties to such marriage have not made a declaration as required by this Act.

---

PART IV.

VALIDATION OF CERTAIN MARRIAGES.

Marriages before  
1st March 1856.  
19 Vic. No. 30 s. 14.

**16.** Every marriage celebrated in New South Wales before the first day of March one thousand eight hundred and fifty-six by any minister of religion or person ordinarily officiating as such shall be and be deemed to have been from the time of the celebration thereof a perfectly legal and valid marriage to all intents and purposes notwithstanding any non-compliance with forms or other irregularity attending the celebration.



---

*Marriage.*

---

17. No marriage celebrated in New South Wales on or after the first day of March one thousand eight hundred and fifty-six shall be deemed or declared invalid by reason only of the fact that both or either of the parties to such marriage may not have made the declaration required by section four of the Act nineteenth Victoria number thirty:

Marriages on or after  
1st March 1856.  
55 Vic. No. 34 s. 2  
(i) (ii).

Provided that no marriage declared invalid by any competent Court before the passing of this Act shall be validated by anything herein contained.

18. Every marriage otherwise lawful heretofore or hereafter celebrated in New South Wales between any person and the sister of his deceased wife shall be deemed and is hereby declared to have been and to be valid and of full force and effect any law or custom to the contrary notwithstanding.

Marriage with  
deceased wife's  
sister.  
39 Vic. No. 20 s. 1.

---

PART V.

MARRIAGES NOT LEGALISED.

19. Nothing in sections six or sixteen contained shall legalise any marriage

Certain marriages  
not legalised.  
19 Vic. No. 30 s. 15.  
55 Vic. No. 34 s. 2  
(ii).

- (a) heretofore declared invalid by any competent Court
- (b) where either party thereto had another wife or husband then living
- (c) which would have been or would be void but for the provisions of the said sections by reason of relationship kindred or alliance or of fraud or incapacity to contract marriage
- (d) where (the same being at the time of its celebration invalid) either of the parties thereto afterwards and before the thirtieth day of November one thousand eight hundred and fifty-five intermarried with some other person

---

PART VI.

QUAKERS AND JEWS.

20. (1) Except as hereinafter provided nothing in this Act shall extend to any marriage between parties of whom both are Quakers or Jews.

Act not to apply.  
19 Vic. No. 30 s. 8.  
55 Vic. No. 34 s. 10.

(2) Every marriage celebrated between parties being both Quakers or both Jews shall be as legal and valid as if duly solemnised under

Such marriages  
valid.  
19 Vic. No. 30 s. 9.



---

*Marriage.*

---

under the provisions of this Act if such marriage was when celebrated a valid marriage according to the usages of the Quakers or Jews as the case may be.

Certificate of such marriage to be sent to registrar.  
*Ibid.* s. 8.

(3) A certificate of every such marriage shall within ten days next following be transmitted to the registrar of the district within which it was celebrated by the person celebrating the marriage or by one of the parties thereto stating the date and place of such marriage and the name designation and usual residence of each of those parties.

---

PART VII.

PENALTIES.

Minister celebrating marriage when unregistered.  
19 Vic. No. 30 ss. 21 and 17.

**21.** (1) Every minister or person officiating as such who celebrates any marriage knowing that his name designation or usual residence has not been or is not then duly registered shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years or

(2) If the omission was accidental or by inadvertence shall be liable to a fine not exceeding twenty pounds to be recovered by proceeding in a summary way before two justices of the peace.

Omission to transmit certificate.  
*Ibid.* s. 22.

**22.** (1) Every minister or person having celebrated any marriage who fails to comply with the provisions of this Act or any of them respecting the certificate to be transmitted to the district registrar shall be liable to a fine of not less than ten and not exceeding fifty pounds to be recovered by proceeding in a summary way before two justices of the peace.

(2) In cases within the twentieth section of this Act where no person has celebrated the marriage other than the parties thereto themselves the like penalty shall attach to the husband in case the certificate thereby required is not duly transmitted.

Under s. 20.  
*Ibid.*

Celebrating marriage without complying with Act.  
*Ibid.* s. 17.  
55 Vic. No. 34 s. 7.

**23.** Every minister district registrar or other person who celebrates or professes or attempts to celebrate any marriage in any case contrary to any of the provisions of this Act or where any provisions or requirements of this Act have not been complied with shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years.

**24.** Every person who goes through the ceremony of marriage without having first made and signed the declaration required by this Act shall be guilty of a misdemeanour.

Parties marrying without making declaration.  
55 Vic. No. 34 s. 8.  
Knowingly celebrating marriage of a minor without consent.  
19 Vic. No. 30 s. 17.

**25.** Every minister district registrar or other person who celebrates or professes or attempts to celebrate marriage in the case of any person



*Marriage.*

person under the age of twenty-one years not being a widower or widow without a written consent as required by section nine hereof knowing him or her to be under that age or knowing that the consent produced is not by the appropriate person shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years.

26. Every person who—

- (a) wilfully marries a person under the age of twenty-one years and whom he or she knows to be under that age without having previously obtained a written consent as required by section nine hereof or
- (b) induces or endeavours to induce any minister registrar or other person to celebrate marriage between parties one of whom he or she knows to be under age without such consent or
- (c) abets or assists the offender in any such act knowing the same to be illegal

Knowingly marrying a minor without consent.  
19 Vic. No. 30 s. 19.

shall be guilty of a misdemeanour and be liable to such punishment by fine not exceeding five hundred pounds or imprisonment not exceeding five years or both as the Court may award

27. (1) Every person who objects to take an oath under the provisions of this Act may make in lieu thereof a solemn affirmation or be examined as the case may be upon his solemn affirmation.

Affirmation instead of oath.  
*Ibid.* s. 18.

(2) Any person who wilfully makes any false statement on oath or by solemn affirmation before any minister or registrar or before any justice of the peace appointed under any of the provisions of this Act or intended or purporting so to be shall be deemed guilty of perjury and be liable to prosecution and punishment accordingly.

Perjury.  
*Ibid.*

SCHEDULES.

FIRST SCHEDULE.

Sec. 2.

Acts repealed.	Title or short title.	Extent of repeal.
19 Vic. No. 30 ...	An Act to amend and consolidate the Laws affecting the Solemnization of Marriage.	The whole unrepealed portion.
39 Vic. No. 20 ...	An Act to declare valid the marriage of a man with the sister of his deceased wife.	The whole unrepealed portion.
55 Vic. No. 34 ...	The "Marriages Validation and Marriage Law Amendment Act of 1892."	The whole.

SECOND



---

*Marriage.*

---

Section 3 (2).

## SECOND SCHEDULE.

*Form of Declaration to authorise Marriage before District Registrar.*

WE *Thomas Williams* of [usual place of residence and designation or employment] and *Mary Edwards* of [usual place of residence and employment] do hereby declare that we are desirous of being married but that we conscientiously object to be married by a minister of religion [or "but that there is no minister of religion accessible for the purpose of solemnising our marriage"].

Signed by the parties this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_ before me \_\_\_\_\_  
(Signatures.)

Section 3 (2).

## THIRD SCHEDULE.

*Form of Marriage before Registrar.*

I *Thomas Williams* of [usual place of residence and designation or employment] do hereby declare in the presence of A.B. registrar of marriages for the district of *Bathurst* that I take *Mary Edwards* of [usual place of residence and designation or employment] to be my lawful wife And I the said *Mary Edwards* do declare that I take the said *Thomas Williams* to be my lawful husband.

(Signatures.)

Section 5 (1) (3).

## FOURTH SCHEDULE.

*Declaration before District Registrar or Minister to be indorsed on marriage certificate form.*

I *Thomas Williams* of [place of residence condition and designation or employment] being duly sworn do on my oath declare [or if objecting to take an oath do solemnly and sincerely declare and affirm] that I have attained the age of twenty-one years [or if not of the age of twenty-one years and not a widower] that I have duly obtained the written consent required by the Marriage Act No. 1899 and I believe there is no impediment or lawful objection by reason of any kindred relationship or alliance or any former marriage or the want of consent of parents or guardians or any other lawful cause to my being married to [*Mary Edwards*] of [place of residence condition and designation or employment] daughter of [*James Edwards*] of [place of residence and designation] and I hereby further declare that I have full knowledge that if I swear or affirm falsely I shall be guilty of perjury and be liable to be punished accordingly.

(Signature of *Thomas Williams*.)

And I the said *Mary Edwards* [condition] being duly sworn do on my oath declare [or if objecting to take an oath do solemnly and sincerely declare and affirm] that I have attained the age of twenty-one years [or if not of the age of twenty-one years and not a widow] that I have duly obtained the written consent required by the Marriage Act No. 1899 and I believe there is no impediment or lawful objection by reason of any kindred relationship or alliance or any former marriage or the want of consent of parents or guardians or any other lawful cause to my being married to the said *Thomas Williams* And I hereby further declare that I have full knowledge that if I swear or affirm falsely I shall be guilty of perjury and be liable to be punished accordingly.

(Signature of *Mary Edwards*.)

Declared and sworn (or "and affirmed") by both the parties named this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_ Before me \_\_\_\_\_

(Signature and designation of minister or registrar.)

Certificate



---

*Marriage.*

---

*Certificate of marriage.*

I [*name of minister or registrar*] being [*designation*] do hereby certify that I have this day at [*place*] duly celebrated marriage between [*name designation and residence of husband*] and [*name designation and residence of wife*] after declaration duly made before me as by law required.

Dated this                      day of                      18

(*Signature of minister or registrar.*)

A.B.

*Signatures of parties* { C.D.  
*to marriage.*            { E.F.

*Signatures of* { G.H.  
*witnesses.*        { J.K.

NOTE (to be printed in red ink)—“The declaration on the back hereof must be duly made and signed otherwise the parties and the officiating minister or registrar are liable to the punishment by law provided in that behalf.”

*In the name and on the behalf of Her Majesty I assent to this Act.*

BEAUCHAMP,  
*Governor.*

*Government House,*  
*Sydney, 20th November, 1899.*



I hereby certify that the following is a true and correct copy of the original as the same appears in the files of the Department of the Interior, Bureau of Land Management, at Washington, D. C., this 1st day of January, 1900.

W. A. RICHARDS,  
 Commissioner of the General Land Office.

In the name and on the behalf of the United States of America,

W. A. RICHARDS,  
 Commissioner of the General Land Office.

Approved: \_\_\_\_\_  
 Secretary of the Interior



## Memo. and Certificate to accompany the Marriage Bill.

THIS Bill consolidates three Acts, viz:—

19 Vic. No. 30;  
39 Vic. No. 20;  
55 Vic. No. 34.

*Clause 5 (1) (2).* Sec. 5 (1) of the Act 55 Vic. No. 34 has been taken to mean that the document to be “afterwards signed” is the certificate and not the declaration. This view is supported by the form in the Schedule.

*Clause 5 (3).* The words “legibly written,” &c., appearing in sec. 7 of 19 Vic. No. 30, have been omitted as unnecessary.

*Clause 8.* The words “in substitution for” appearing in 55 Vic. No. 34, sec. 5 (III), are hard to understand, as will appear by a reference to 19 Vic. No. 34, sec. 8.

*Clause 11.* This has been left unaltered. The original section seems very confused.

*Clauses 12 to 15.* As the words “avoided,” “unduly celebrated,” “affected,” and “invalid,” may possibly have different meanings, these sections have been kept separate.

*Clause 19.* The words “or hereafter” have been omitted as unnecessary.

*Clauses 23 and 25.* These sections consolidate sec. 17 of 19 Vic. No. 30 and sec. 7 of 55 Vic. No. 34. Some difficulty has arisen from the fact that the earlier section speaks of wilful offences committed with knowledge, and the latter merely of celebrations not in accordance with the requirements of that Act.

*Clause 26 (a).* “consent required by sec. nine.” This is thought to be the real meaning of sec. 19 of 19 Vic. No. 30.

*Clause 27.* “Surrogate” has been omitted as unnecessary after the repeal of sec. 4 of 19 Vic. No. 30.

The wording of many of the sections of the Acts consolidated is very bad, but the importance of the subject has made it too dangerous to attempt many improvements.

I certify that this Bill solely consolidates and in no way alters, adds to, or amends the law as contained in the Acts therein consolidated.

CHAS. G. HEYDON,  
Commissioner for the Consolidation of the Statute Law.





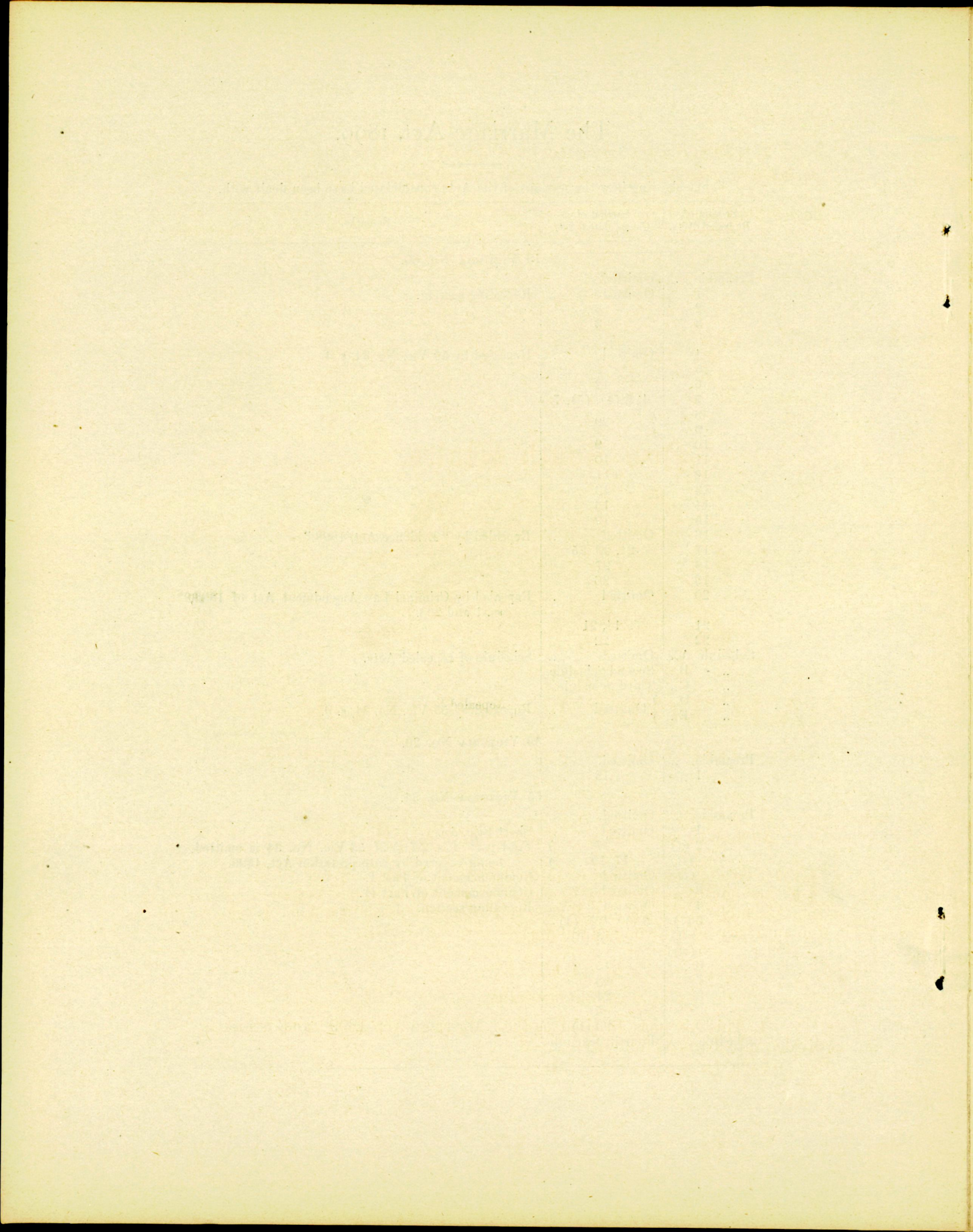


# The Marriage Act, 1899.

TABLE showing how the sections of the Acts consolidated have been dealt with.

Section of Repealed Acts.	Section of Consolidated Act.	Remarks.
19 VICTORIA No. 30.		
Preamble ...	Omitted.	
1	Omitted	... Repealing section.
2	3	
3	3	
4	Omitted	... Repealed by 55 Vic. No. 34, s. 4.
5	6	
6	12	
7	4, 5 (4), (5), 7	
8	} 20	
9		
10	9	
11	10	
12	11	
13	13	
14	16	
15	19	
16	Omitted	... Repealed by "Evidence Act, 1898."
17	21, 23, 25	
18	27	
19	26	
20	Omitted	... Repealed by Criminal Law Amendment Act of 1883, ss. 1 and 263.
21	14, 21	
22	22	
Schedule A...	Omitted	... Schedule of repealed Acts.
" B...	Second Schedule.	
" C...	Third Schedule.	
" D...	} Omitted	... Repealed by 55 Vic. No. 34, s. 9.
" E...		
39 VICTORIA No. 20.		
Preamble ..	Omitted.	
1	18	
55 VICTORIA No. 34.		
Preamble ...	Omitted.	
1	Omitted	... Short title, &c.
2 (I)	17	} First part of s. 2 (II) of 55 Vic. No. 34 is omitted, being covered by Interpretation Act, 1898.
(II)	17, 19	
(III)	Omitted	... Commencement of Part I.
3	Omitted	... Commencement of Part II.
4	Omitted	... Repealing section.
5 (I)	5 (1), (2), (4)	
(II)	5 (3)	
(III)	8	
6	15	
7	23	
8	24	
9	5	
10	20 (1)	
Schedule ...	Fourth Schedule.	







This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council Chamber,  
Sydney, 2nd August, 1899. }

JOHN J. CALVERT,  
Clerk of the Parliaments.

## New South Wales.



ANNO SEXAGESIMO TERTIO

## VICTORIÆ REGINÆ.

\*\*\*\*\*

Act No. , 1899.

An Act to consolidate the Acts relating to Marriage.

**B**E it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

### PART I.

#### PRELIMINARY.

1. This Act may be cited as the "Marriage Act 1899" and is short title. divided into Parts as follows:—

PART I.—PRELIMINARY—ss. 1, 2.

c 10—A

PART



*Marriage.*

## PART II.—CELEBRATION OF MARRIAGES—

*Generally—ss. 3-8.**In the case of Minors—ss. 9-11.*

## PART III.—MARRIAGES NOT TO BE AVOIDED OR AFFECTED FOR CERTAIN REASONS—ss. 12-15.

## PART IV.—VALIDATION OF CERTAIN MARRIAGES—ss. 16-18.

## PART V.—MARRIAGES NOT LEGALISED—s. 19.

## PART VI.—QUAKERS AND JEWS—s. 20.

## PART VII.—PENALTIES—ss. 21-27.

2. (1) The Acts mentioned in the First Schedule to this Act are to the extent therein expressed hereby repealed.

(2) All persons appointed under the Acts hereby repealed and holding office at the time of the passing of this Act shall be deemed to have been appointed hereunder.

(3) All forms prescribed under any of the Acts hereby repealed and valid at the time of the passing of this Act shall be deemed to be valid hereunder.

Repeal.  
First Schedule.  
Officers under Acts hereby repealed.  
Saving clause.

## PART II.

## CELEBRATION OF MARRIAGES.

*Generally.*

3. (1) No marriage shall be celebrated except by some minister of religion ordinarily officiating as such whose name designation and usual residence have been and then continue registered in the office of the Registrar-General for marriages in Sydney or by a district registrar.

Persons authorized to celebrate marriages.  
19 Vic. No. 30 ss. 2 and 3.

(2) Where the parties to be married sign before the registrar for marriages of the district within which the intended wife ordinarily resides a declaration in the form set forth in the Second Schedule hereto the marriage may be celebrated between such parties by such district registrar in the form of words set forth in the Third Schedule hereto to be repeated and signed by the parties to such marriage respectively.

Marriages before registrar.  
Second and Third Schedules.  
*Ibid.* s. 2.

4. Every marriage shall be celebrated in the presence of two witnesses at least.

Witnesses.  
*Ibid.* s. 7.

5. (1) No marriage shall be celebrated unless and until each of the parties about to be married has made on oath or solemn affirmation before the minister or registrar celebrating the marriage a declaration in the form of the Fourth Schedule hereto.

Declaration.  
Fourth Schedule.  
55 Vic. No. 34 s. 5 (1).

(2)



*Marriage.*

(2) Such declaration shall be indorsed upon the certificate of marriage hereinafter prescribed and shall be signed by each of the parties about to be married and by the minister or registrar.

Signing declaration.  
55 Vic. No. 34 ss.  
5 (1) & 9.

(3) Every certificate of marriage shall be in the form of the Fourth Schedule hereto and every such certificate and every copy thereof shall have indorsed thereon the form of declaration set forth in the said Schedule and at the foot of every certificate there shall be printed in red ink a note in the form of the said Schedule referring to such declaration.

Certificate.  
Fourth Schedule.  
55 Vic. No. 34 s. 5.  
(11).

(4) After the celebration of the marriage the certificate of marriage shall be signed by the minister or registrar and by the parties and by the witnesses.

Signing certificate.  
19 Vic. No. 30 s. 7.  
35 Vic. No 34 s. 5 (1).

(5) Immediately after the marriage the minister or registrar shall deliver a copy of such certificate signed by himself to one of the parties to the marriage.

Copy certificate for parties.  
19 Vic. No. 30 s. 7.

6. Every marriage celebrated by any such minister or registrar as aforesaid after oath or solemn affirmation so made shall be a legal and valid marriage to all intents and purposes and no other marriage except as hereinafter provided shall be valid for any purpose.

Essentials for valid marriage.  
*Ibid.* s. 5.

7. Within one month after the marriage the minister celebrating the marriage shall transmit the original certificate to the registrar of the district within which the marriage was celebrated.

Transmission of original certificate.  
*Ibid.* s. 7.

8. The Registrar-General shall at the public expense furnish forms of marriage certificates with the declaration indorsed thereon as prescribed by this Act to every district registrar of marriages and to every duly registered officiating minister.

Registrar-General to supply forms.  
19 Vic. No. 34 s. 8.  
55 Vic. No. 34 s. 5.  
(11).

*In the case of Minors.*

9. If either party to any intended marriage not being a widower or widow is under the age of twenty-one years such marriage shall not take place without production to the minister or registrar about to celebrate the same—

Consent in case of minority.  
19 Vic. No. 30 s. 10.

- (a) of the written consent of the father of such party if within New South Wales or if not within New South Wales then of a guardian appointed by the father or
- (b) if there be no such guardian in New South Wales then the written consent of the mother of such party if within New South Wales or
- (c) where there is no such parent or guardian in New South Wales or he or she is incapable of duly consenting by reason of distance habitual intoxication or mental incapacity then the written consent of some justice of the peace appointed for that purpose. Such justice shall make inquiry on oath as to the facts and circumstances of the case before giving his consent.



*Marriage.*

10. (1) For the purposes mentioned in the foregoing section the Judges of the Supreme Court shall appoint from time to time one or more justice or justices of the peace in every registrar's district who shall by virtue of such appointment give consent in such cases as aforesaid.

Appointment of  
justices to consent.  
*Ibid.* s. 11.

(2) Every such appointment shall be notified by the said Judges in the Gazette.

Notification of  
appointment.

11. When a marriage is celebrated upon the production of any such written consent as aforesaid a statement of the fact of such consent shall be indorsed on the certificate of such marriage and on the copy thereof signed respectively by the minister or registrar celebrating the same.

Consent to be  
endorsed on  
certificate.  
*Ibid.* s. 12.

## PART III.

## MARRIAGES NOT TO BE AVOIDED OR AFFECTED FOR CERTAIN REASONS.

12. No marriage in fact shall be avoided by reason only of the same having been celebrated by a person not being a minister or ordinarily officiating minister of religion if either of the parties to the marriage at the time bonâ fide believed that he was such ordinarily officiating minister.

Celebration by  
person not a  
minister.  
*Ibid.* s. 6.

13. No marriage shall be deemed to have been unduly celebrated by reason only of any mere defect or error in the declaration made respecting the same where the identity of the parties to the marriage is not in question.

Defect or error in  
declaration.  
*Ibid.* s. 13.

14. No marriage shall be affected by reason of the omission by the minister celebrating the same to cause his name designation or usual residence to be registered according to this Act.

Omission of minister  
to register his name  
&c.  
*Ibid.* s. 21.

15. No marriage celebrated in New South Wales shall be deemed to be or be declared invalid by reason only of the fact that both or either of the parties to such marriage have not made a declaration as required by this Act.

Omission to make  
declaration.  
55 Vic. No. 34 s. 6.

## PART IV.

## VALIDATION OF CERTAIN MARRIAGES.

16. Every marriage celebrated in New South Wales before the first day of March one thousand eight hundred and fifty-six by any minister of religion or person ordinarily officiating as such shall be and be deemed to have been from the time of the celebration thereof a perfectly legal and valid marriage to all intents and purposes notwithstanding any non-compliance with forms or other irregularity attending the celebration.

Marriages before  
1st March 1856.  
19 Vic. No. 30 s. 14.



*Marriage.*

17. No marriage celebrated in New South Wales on or after the first day of March one thousand eight hundred and fifty-six shall be deemed or declared invalid by reason only of the fact that both or either of the parties to such marriage may not have made the declaration required by section four of the Act nineteenth Victoria number thirty:

Marriages on or after  
1st March 1856.  
55 Vic. No. 34 s. 2  
(i) (ii).

Provided that no marriage declared invalid by any competent Court before the passing of this Act shall be validated by anything herein contained.

18. Every marriage otherwise lawful heretofore or hereafter celebrated in New South Wales between any person and the sister of his deceased wife shall be deemed and is hereby declared to have been and to be valid and of full force and effect any law or custom to the contrary notwithstanding.

Marriage with  
deceased wife's  
sister.  
39 Vic. No. 20 s. 1.

## PART V.

## MARRIAGES NOT LEGALISED.

19. Nothing in sections six or sixteen contained shall legalise any marriage

(a) heretofore declared invalid by any competent Court,

(b) where either party thereto had another wife or husband then living

(c) which would have been or would be void but for the provisions of the said sections by reason of relationship kindred or alliance or of fraud or incapacity to contract marriage

(d) where (the same being at the time of its celebration invalid) either of the parties thereto afterwards and before the thirtieth day of November one thousand eight hundred and fifty-five intermarried with some other person

Certain marriages  
not legalised.  
19 Vic. No. 30 s. 15.  
55 Vic. No. 34 s. 2  
(ii).

## PART VI.

## QUAKERS AND JEWS.

20. (1) Except as hereinafter provided nothing in this Act shall extend to any marriage between parties of whom both are Quakers or Jews.

Act not to apply.  
19 Vic. No. 30 s. 8.  
55 Vic. No. 34 s. 10.

(2) Every marriage celebrated between parties being both Quakers or both Jews shall be as legal and valid as if duly solemnised under

Such marriages  
valid.  
19 Vic. No. 30 s. 9.



*Marriage.*

under the provisions of this Act if such marriage was when celebrated a valid marriage according to the usages of the Quakers or Jews as the case may be.

(3) A certificate of every such marriage shall within ten days next following be transmitted to the registrar of the district within which it was celebrated by the person celebrating the marriage or by one of the parties thereto stating the date and place of such marriage and the name designation and usual residence of each of those parties.

Certificate of such marriage to be sent to registrar.  
*Ibid.* s. 8.

PART VII.

PENALTIES.

21. (1) Every minister or person officiating as such who celebrates any marriage knowing that his name designation or usual residence has not been or is not then duly registered shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years or

Minister celebrating marriage when unregistered.  
19 Vic. No. 30 ss. 21 and 17.

(2) If the omission was accidental or by inadvertence shall be liable to a fine not exceeding twenty pounds to be recovered by proceeding in a summary way before two justices of the peace.

22. (1) Every minister or person having celebrated any marriage who fails to comply with the provisions of this Act or any of them respecting the certificate to be transmitted to the district registrar shall be liable to a fine of not less than ten and not exceeding fifty pounds to be recovered by proceeding in a summary way before two justices of the peace.

Omission to transmit certificate.  
*Ibid.* s. 22.

(2) In cases within the twentieth section of this Act where no person has celebrated the marriage other than the parties thereto themselves the like penalty shall attach to the husband in case the certificate thereby required is not duly transmitted.

Under s. 20.  
*Ibid.*

23. Every minister district registrar or other person who celebrates or professes or attempts to celebrate any marriage in any case contrary to any of the provisions of this Act or where any provisions or requirements of this Act have not been complied with shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years.

Celebrating marriage without complying with Act.  
*Ibid.* s. 17.  
55 Vic. No. 34 s. 7.

24. Every person who goes through the ceremony of marriage without having first made and signed the declaration required by this Act shall be guilty of a misdemeanour.

Parties marrying without making declaration.  
55 Vic. No. 34 s. 8.

25. Every minister district registrar or other person who celebrates or professes or attempts to celebrate marriage in the case of any person

Knowingly celebrating marriage of a minor without consent.  
19 Vic. No. 30 s. 17.



*Marriage.*

person under the age of twenty-one years not being a widower or widow without a written consent as required by section nine hereof knowing him or her to be under that age or knowing that the consent produced is not by the appropriate person shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years.

26. Every person who—

- (a) wilfully marries a person under the age of twenty-one years and whom he or she knows to be under that age without having previously obtained a written consent as required by section nine hereof or
- (b) induces or endeavours to induce any minister registrar or other person to celebrate marriage between parties one of whom he or she knows to be under age without such consent or
- (c) abets or assists the offender in any such act knowing the same to be illegal

Knowingly marrying a minor without consent.  
19 Vic. No. 30 s. 19.

shall be guilty of a misdemeanour and be liable to such punishment by fine not exceeding five hundred pounds or imprisonment not exceeding five years or both as the Court may award

27. (1) Every person who objects to take an oath under the provisions of this Act may make in lieu thereof a solemn affirmation or be examined as the case may be upon his solemn affirmation.

Affirmation instead of oath.  
*Ibid.* s. 18.

(2) Any person who wilfully makes any false statement on oath or by solemn affirmation before any minister or registrar or before any justice of the peace appointed under any of the provisions of this Act or intended or purporting so to be shall be deemed guilty of perjury and be liable to prosecution and punishment accordingly.

Perjury.  
*Ibid.*

## SCHEDULES.

## FIRST SCHEDULE.

Sec. 2.

Acts repealed.	Title or short title.	Extent of repeal.
19 Vic. No. 30 ...	An Act to amend and consolidate the Laws affecting the Solemnization of Marriage.	The whole unrepealed portion.
39 Vic. No. 20 ...	An Act to declare valid the marriage of a man with the sister of his deceased wife.	The whole unrepealed portion.
55 Vic. No. 34 ...	The "Marriages Validation and Marriage Law Amendment Act of 1892."	The whole.

SECOND



---

*Marriage.*

---

## SECOND SCHEDULE.

Section 3 (2).

*Form of Declaration to authorise Marriage before District Registrar.*

WE *Thomas Williams* of [usual place of residence and designation or employment] and *Mary Edwards* of [usual place of residence and employment] do hereby declare that we are desirous of being married but that we conscientiously object to be married by a minister of religion [or "but that there is no minister of religion accessible for the purpose of solemnising our marriage"].

Signed by the parties this            day of            18            before me

(Signatures.)

## THIRD SCHEDULE.

Section 3 (2).

*Form of Marriage before Registrar.*

I *Thomas Williams* of [usual place of residence and designation or employment] do hereby declare in the presence of A.B. registrar of marriages for the district of *Bathurst* that I take *Mary Edwards* of [usual place of residence and designation or employment] to be my lawful wife And I the said *Mary Edwards* do declare that I take the said *Thomas Williams* to be my lawful husband.

(Signatures.)

## FOURTH SCHEDULE.

Section 5 (1) (3).

*Declaration before District Registrar or Minister to be indorsed on marriage certificate form.*

I *Thomas Williams* of [place of residence condition and designation or employment] being duly sworn do on my oath declare [or if objecting to take an oath do solemnly and sincerely declare and affirm] that I have attained the age of twenty-one years [or if not of the age of twenty-one years and not a widower] that I have duly obtained the written consent required by the Marriage Act No. 1899 and I believe there is no impediment or lawful objection by reason of any kindred relationship or alliance or any former marriage or the want of consent of parents or guardians or any other lawful cause to my being married to [*Mary Edwards*] of [place of residence condition and designation or employment] daughter of [*James Edwards*] of [place of residence and designation] and I hereby further declare that I have full knowledge that if I swear or affirm falsely I shall be guilty of perjury and be liable to be punished accordingly.

(Signature of *Thomas Williams*.)

And I the said *Mary Edwards* [condition] being duly sworn do on my oath declare [or if objecting to take an oath do solemnly and sincerely declare and affirm] that I have attained the age of twenty-one years [or if not of the age of twenty-one years and not a widow] that I have duly obtained the written consent required by the Marriage Act No. 1899 and I believe there is no impediment or lawful objection by reason of any kindred relationship or alliance or any former marriage or the want of consent of parents or guardians or any other lawful cause to my being married to the said *Thomas Williams* And I hereby further declare that I have full knowledge that if I swear or affirm falsely I shall be guilty of perjury and be liable to be punished accordingly.

(Signature of *Mary Edwards*.)

Declared and sworn (or "and affirmed") by both the parties named this            day of  
18            Before me

(Signature and designation of minister or registrar.)

---

Certificate



---

*Marriage.*

---

*Certificate of marriage.*

I [*name of minister or registrar*] being [*designation*] do hereby certify that I have this day at [*place*] duly celebrated marriage between [*name designation and residence of husband*] and [*name designation and residence of wife*] after declaration duly made before me as by law required.

Dated this                      day of                      18

(*Signature of minister or registrar.*)

A.B.

*Signatures of parties* { C.D.  
to marriage.            { E.F.

*Signatures of* { G.H.  
*witnesses.*     { J.K.

NOTE (to be printed in red ink)—“The declaration on the back hereof must be duly made and signed otherwise the parties and the officiating minister or registrar are liable to the punishment by law provided in that behalf.”



Marriage

I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the above mentioned matter. I have this day conferred with the proper authorities and have the pleasure to inform you that the same has been approved and the necessary steps taken to give effect to the same.

Very respectfully,  
 J. H. [Name]  
 [Title]

Printed and Published by [Name]

[1889]

10-18



## Memo. and Certificate to accompany the Marriage Bill.

THIS Bill consolidates three Acts, viz:—

19 Vic. No. 30;  
39 Vic. No. 20;  
55 Vic. No. 34.

*Clause 5 (1) (2).* Sec. 5 (1) of the Act 55 Vic. No. 34 has been taken to mean that the document to be “afterwards signed” is the certificate and not the declaration. This view is supported by the form in the Schedule.

*Clause 5 (3).* The words “legibly written,” &c., appearing in sec. 7 of 19 Vic. No. 30, have been omitted as unnecessary.

*Clause 8.* The words “in substitution for” appearing in 55 Vic. No. 34, sec. 5 (III), are hard to understand, as will appear by a reference to 19 Vic. No. 34, sec. 8.

*Clause 11.* This has been left unaltered. The original section seems very confused.

*Clauses 12 to 15.* As the words “avoided,” “unduly celebrated,” “affected,” and “invalid,” may possibly have different meanings, these sections have been kept separate.

*Clause 19.* The words “or hereafter” have been omitted as unnecessary.

*Clauses 23 and 25.* These sections consolidate sec. 17 of 19 Vic. No. 30 and sec. 7 of 55 Vic. No. 34. Some difficulty has arisen from the fact that the earlier section speaks of wilful offences committed with knowledge, and the latter merely of celebrations not in accordance with the requirements of that Act.

*Clause 26 (a).* “consent required by sec. nine.” This is thought to be the real meaning of sec. 19 of 19 Vic. No. 30.

*Clause 27.* “Surrogate” has been omitted as unnecessary after the repeal of sec. 4 of 19 Vic. No. 30.

The wording of many of the sections of the Acts consolidated is very bad, but the importance of the subject has made it too dangerous to attempt many improvements.

I certify that this Bill solely consolidates and in no way alters, adds to, or amends the law as contained in the Acts therein consolidated.

CHAS. G. HEYDON,  
Commissioner for the Consolidation of the Statute Law.



The Marriage Act 1836



# The Marriage Act, 1899.

TABLE showing how the sections of the Acts consolidated have been dealt with.

Section of Repealed Acts.	Section of Consolidated Act.	Remarks.
19 VICTORIA No. 30.		
Preamble ...	Omitted.	
1	Omitted	... Repealing section.
2	3	
3	3	
4	Omitted	... Repealed by 55 Vic. No. 34, s. 4.
5	6	
6	12	
7	4, 5 (4), (5), 7	
8	} 20	
9		
10	9	
11	10	
12	11	
13	13	
14	16	
15	19	
16	Omitted	... Repealed by "Evidence Act, 1898."
17	21, 23, 25	
18	27	
19	26	
20	Omitted	... Repealed by Criminal Law Amendment Act of 1883, ss. 1 and 263.
21	14, 21	
22	22	
Schedule A...	Omitted	... Schedule of repealed Acts.
" B...	Second Schedule.	
" C...	Third Schedule.	
" D...	} Omitted	... Repealed by 55 Vic. No. 34, s. 9.
" E...		
39 VICTORIA No. 20.		
Preamble ...	Omitted.	
1	18	
55 VICTORIA No. 34.		
Preamble ...	Omitted.	
1	Omitted	... Short title, &c.
2 (I)	17	} First part of s. 2 (II) of 55 Vic. No. 34 is omitted, being covered by Interpretation Act, 1898.
(II)	17, 19	
(III)	Omitted	... Commencement of Part I.
3	Omitted	... Commencement of Part II.
4	Omitted	... Repealing section.
5 (I)	5 (1), (2), (4)	
(II)	5 (3)	
(III)	8	
6	15	
7	23	
8	24	
9	5	
10	20 (1)	
Schedule ...	Fourth Schedule.	



The Marriage Act 1850

I have now to show the contents of the Act, and to point out the changes which it has introduced into the law.

James

James

1851 to the present time

1851 to the present time



Legislative Council.

No. , 1899.

---

# A BILL

To consolidate the Acts relating to Marriage.

[MR. HUGHES ;—27 *July*, 1899.]

---

**B**E it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows :—

## PART I.

### PRELIMINARY.

1. This Act may be cited as the "Marriage Act 1899" and is Short title.  
divided into Parts as follows :—

PART I.—PRELIMINARY—ss. 1, 2.

C 10—A

PART



## PART II.—CELEBRATION OF MARRIAGES—

*Generally—ss. 3-8.**In the case of Minors—ss. 9-11.*

PART III.—MARRIAGES NOT TO BE AVOIDED OR AFFECTED FOR CERTAIN REASONS—ss. 12-15.

PART IV.—VALIDATION OF CERTAIN MARRIAGES—ss. 16-18.

PART V.—MARRIAGES NOT LEGALISED—s. 19.

PART VI.—QUAKERS AND JEWS—s. 20.

PART VII.—PENALTIES—ss. 21-27.

Repeal.  
First Schedule.  
Officers under Acts hereby repealed.  
Saving clause.

2. (1) The Acts mentioned in the First Schedule to this Act are to the extent therein expressed hereby repealed.

(2) All persons appointed under the Acts hereby repealed and holding office at the time of the passing of this Act shall be deemed to have been appointed hereunder.

(3) All forms prescribed under any of the Acts hereby repealed and valid at the time of the passing of this Act shall be deemed to be valid hereunder.

## PART II.

## CELEBRATION OF MARRIAGES.

*Generally.*

Persons authorised to celebrate marriages.  
19 Vic. No. 30  
ss 2 and 3.

3. (1) No marriage shall be celebrated except by some minister of religion ordinarily officiating as such whose name designation and usual residence have been and then continue registered in the office of the Registrar-General for marriages in Sydney or by a district registrar.

Marriages before registrar.  
Second and Third Schedules.  
*Ibid.* s. 2.

(2) Where the parties to be married sign before the registrar for marriages of the district within which the intended wife ordinarily resides a declaration in the form set forth in the Second Schedule hereto the marriage may be celebrated between such parties by such district registrar in the form of words set forth in the Third Schedule hereto to be repeated and signed by the parties to such marriage respectively.

Witnesses.  
*Ibid.* s. 7.

4. Every marriage shall be celebrated in the presence of two witnesses at least.

Declaration.  
Fourth Schedule.  
55 Vic. No. 34 s. 5 (1).

5. (1) No marriage shall be celebrated unless and until each of the parties about to be married has made on oath or solemn affirmation before the minister or registrar celebrating the marriage a declaration in the form of the Fourth Schedule hereto. (2)



(2) Such declaration shall be indorsed upon the certificate of marriage hereinafter prescribed and shall be signed by each of the parties about to be married and by the minister or registrar.

Signing declaration.  
55 Vic. No. 34 ss.  
5 (1) & 9.

(3) Every certificate of marriage shall be in the form of the Fourth Schedule hereto and every such certificate and every copy thereof shall have indorsed thereon the form of declaration set forth in the said Schedule and at the foot of every certificate there shall be printed in red ink a note in the form of the said Schedule referring to such declaration.

Certificate.  
Fourth Schedule.  
55 Vic. No. 34 s. 5.  
(11).

(4) After the celebration of the marriage the certificate of marriage shall be signed by the minister or registrar and by the parties and by the witnesses.

Signing certificate.  
19 Vic. No. 30 s. 7.  
35 Vic. No. 34 s. 5 (1).

(5) Immediately after the marriage the minister or registrar shall deliver a copy of such certificate signed by himself to one of the parties to the marriage.

Copy certificate for parties.  
19 Vic. No. 30 s. 7.

6. Every marriage celebrated by any such minister or registrar as aforesaid after oath or solemn affirmation so made shall be a legal and valid marriage to all intents and purposes and no other marriage except as hereinafter provided shall be valid for any purpose.

Essentials for valid marriage.  
*Ibid.* s. 5.

7. Within one month after the marriage the minister celebrating the marriage shall transmit the original certificate to the registrar of the district within which the marriage was celebrated.

Transmission of original certificate.  
*Ibid.* s. 7.

8. The Registrar-General shall at the public expense furnish forms of marriage certificates with the declaration indorsed thereon as prescribed by this Act to every district registrar of marriages and to every duly registered officiating minister.

Registrar-General to supply forms.  
19 Vic. No. 34 s. 8.  
55 Vic. No. 34 s. 5.  
(111).

*In the case of Minors.*

9. If either party to any intended marriage not being a widower or widow is under the age of twenty-one years such marriage shall not take place without production to the minister or registrar about to celebrate the same—

Consent in case of minority.  
19 Vic. No. 30 s. 10.

- (a) of the written consent of the father of such party if within New South Wales or if not within New South Wales then of a guardian appointed by the father or
- (b) if there be no such guardian in New South Wales then the written consent of the mother of such party if within New South Wales or
- (c) where there is no such parent or guardian in New South Wales or he or she is incapable of duly consenting by reason of distance habitual intoxication or mental incapacity then the written consent of some justice of the peace appointed for that purpose. Such justice shall make inquiry on oath as to the facts and circumstances of the case before giving his consent.



Appointment of  
justices to consent.  
*Ibid.* s. 11.

**10.** (1) For the purposes mentioned in the foregoing section the Judges of the Supreme Court shall appoint from time to time one or more justice or justices of the peace in every registrar's district who shall by virtue of such appointment give consent in such cases as aforesaid.

Notification of  
appointment.

(2) Every such appointment shall be notified by the said Judges in the Gazette.

Consent to be  
endorsed on  
certificate.  
*Ibid.* s. 12.

**11.** When a marriage is celebrated upon the production of any such written consent as aforesaid a statement of the fact of such consent shall be indorsed on the certificate of such marriage and on the copy thereof signed respectively by the minister or registrar celebrating the same.

### PART III.

#### MARRIAGES NOT TO BE AVOIDED OR AFFECTED FOR CERTAIN REASONS.

Celebration by  
person not a  
minister.  
*Ibid.* s. 6.

**12.** No marriage in fact shall be avoided by reason only of the same having been celebrated by a person not being a minister ordinarily officiating minister of religion if either of the parties to the marriage at the time bonâ fide believed that he was such ordinarily officiating minister.

Defect or error in  
declaration.  
*Ibid.* s. 13.

**13.** No marriage shall be deemed to have been unduly celebrated by reason only of any mere defect or error in the declaration made respecting the same where the identity of the parties to the marriage is not in question.

Omission of minister  
to register his name  
&c.  
*Ibid.* s. 21.

**14.** No marriage shall be affected by reason of the omission by the minister celebrating the same to cause his name designation or usual residence to be registered according to this Act.

Omission to make  
declaration.  
55 Vic. No. 34 s. 6.

**15.** No marriage celebrated in New South Wales shall be deemed to be or be declared invalid by reason only of the fact that both or either of the parties to such marriage have not made a declaration as required by this Act.

### PART IV.

#### VALIDATION OF CERTAIN MARRIAGES.

Marriages before  
1st March 1856.  
19 Vic. No. 30 s. 14.

**16.** Every marriage celebrated in New South Wales before the first day of March one thousand eight hundred and fifty-six by any minister of religion or person ordinarily officiating as such shall be and be deemed to have been from the time of the celebration thereof a perfectly legal and valid marriage to all intents and purposes notwithstanding any non-compliance with forms or other irregularity attending the celebration.

**17.**



17. No marriage celebrated in New South Wales on or after the first day of March one thousand eight hundred and fifty-six shall be deemed or declared invalid by reason only of the fact that both or either of the parties to such marriage may not have made the declaration required by section four of the Act nineteenth Victoria number thirty :

Marriages on or after  
1st March 1856.  
55 Vic. No. 34 s. 2  
(i) (ii).

Provided that no marriage declared invalid by any competent Court before the passing of this Act shall be validated by anything herein contained.

18. Every marriage otherwise lawful heretofore or hereafter celebrated in New South Wales between any person and the sister of his deceased wife shall be deemed and is hereby declared to have been and to be valid and of full force and effect any law or custom to the contrary notwithstanding.

Marriage with  
deceased wife's  
sister.  
39 Vic. No. 20 s. 1.

---

PART V.

MARRIAGES NOT LEGALISED.

19. Nothing in sections six or sixteen contained shall legalise any marriage

- (a) heretofore declared invalid by any competent Court
- (b) where either party thereto had another wife or husband then living
- (c) which would have been or would be void but for the provisions of the said sections by reason of relationship kindred or alliance or of fraud or incapacity to contract marriage
- (d) where (the same being at the time of its celebration invalid) either of the parties thereto afterwards and before the thirtieth day of November one thousand eight hundred and fifty-five intermarried with some other person

Certain marriages  
not legalised.  
19 Vic. No. 30 s. 15.  
55 Vic. No. 34 s. 2  
(ii).

---

PART VI.

QUAKERS AND JEWS.

20. (1) Except as hereinafter provided nothing in this Act shall extend to any marriage between parties of whom both are Quakers or Jews.

(2) Every marriage celebrated between parties being both Quakers or both Jews shall be as legal and valid as if duly solemnised under

Act not to apply.  
19 Vic. No. 30 s. 8.  
55 Vic. No. 34 s. 10.  
Such marriages  
valid.  
19 Vic. No. 30 s. 9.



under the provisions of this Act if such marriage was when celebrated a valid marriage according to the usages of the Quakers or Jews as the case may be.

Certificate of such marriage to be sent to registrar.  
*Ibid.* s. 8.

(3) A certificate of every such marriage shall within ten days next following be transmitted to the registrar of the district within which it was celebrated by the person celebrating the marriage or by one of the parties thereto stating the date and place of such marriage and the name designation and usual residence of each of those parties.

## PART VII.

### PENALTIES.

Minister celebrating marriage when unregistered.  
19 Vic. No. 30 ss. 21 and 17.

**21.** (1) Every minister or person officiating as such who celebrates any marriage knowing that his name designation or usual residence has not been or is not then duly registered shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years or

(2) If the omission was accidental or by inadvertence shall be liable to a fine not exceeding twenty pounds to be recovered by proceeding in a summary way before two justices of the peace.

Omission to transmit certificate.  
*Ibid.* s. 22.

**22.** (1) Every minister or person having celebrated any marriage who fails to comply with the provisions of this Act or any of them respecting the certificate to be transmitted to the district registrar shall be liable to a fine of not less than ten and not exceeding fifty pounds to be recovered by proceeding in a summary way before two justices of the peace.

Under s. 20.  
*Ibid.*

(2) In cases within the twentieth section of this Act where no person has celebrated the marriage other than the parties thereto themselves the like penalty shall attach to the husband in case the certificate thereby required is not duly transmitted.

Celebrating marriage without complying with Act.  
*Ibid.* s. 17.  
55 Vic. No. 34 s. 7.

**23.** Every minister district registrar or other person who celebrates or professes or attempts to celebrate any marriage in any case contrary to any of the provisions of this Act or where any provisions or requirements of this Act have not been complied with shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years.

Parties marrying without making declaration.  
55 Vic. No. 34 s. 8.

**24.** Every person who goes through the ceremony of marriage without having first made and signed the declaration required by this Act shall be guilty of a misdemeanour.

Knowingly celebrating marriage of a minor without consent.  
19 Vic. No. 30 s. 17.

**25.** Every minister district registrar or other person who celebrates or professes or attempts to celebrate marriage in the case of any person



person under the age of twenty-one years not being a widower or widow without a written consent as required by section nine hereof knowing him or her to be under that age or knowing that the consent produced is not by the appropriate person shall be guilty of a misdemeanour and being convicted thereof shall be liable to a fine not exceeding five hundred pounds either alone or with imprisonment not exceeding five years.

26. Every person who—

- (a) wilfully marries a person under the age of twenty-one years and whom he or she knows to be under that age without having previously obtained a written consent as required by section nine hereof or
- (b) induces or endeavours to induce any minister registrar or other person to celebrate marriage between parties one of whom he or she knows to be under age without such consent or
- (c) abets or assists the offender in any such act knowing the same to be illegal

Knowingly marrying a minor without consent.  
19 Vic. No. 30 s. 19.

shall be guilty of a misdemeanour and be liable to such punishment by fine not exceeding five hundred pounds or imprisonment not exceeding five years or both as the Court may award

27. (1) Every person who objects to take an oath under the provisions of this Act may make in lieu thereof a solemn affirmation or be examined as the case may be upon his solemn affirmation.

Affirmation instead of oath.  
*Ibid.* s. 18.

(2) Any person who wilfully makes any false statement on oath or by solemn affirmation before any minister or registrar or before any justice of the peace appointed under any of the provisions of this Act or intended or purporting so to be shall be deemed guilty of perjury and be liable to prosecution and punishment accordingly.

Perjury.  
*Ibid.*

SCHEDULES.

FIRST SCHEDULE.

Sec. 2.

Acts repealed.	Title or short title.	Extent of repeal.
19 Vic. No. 30 ...	An Act to amend and consolidate the Laws affecting the Solemnization of Marriage.	The whole unrepealed portion.
39 Vic. No. 20 ...	An Act to declare valid the marriage of a man with the sister of his deceased wife.	The whole unrepealed portion.
55 Vic. No. 34 ...	The "Marriages Validation and Marriage Law Amendment Act of 1892."	The whole.

SECOND







*Marriage.*

9

*Certificate of marriage.*

I [*name of minister or registrar*] being [*designation*] do hereby certify that I have this day at [*place*] duly celebrated marriage between [*name designation and residence of husband*] and [*name designation and residence of wife*] after declaration duly made before me as by law required.

Dated this                      day of                      18

(*Signature of minister or registrar.*)                      A.B.

*Signatures of parties* { C.D.  
to marriage.                      { E.F.

*Signatures of* { G.H.  
*witnesses.*                      { J.K.

NOTE (to be printed in red ink)—“The declaration on the back hereof must be duly made and signed otherwise the parties and the officiating minister or registrar are liable to the punishment by law provided in that behalf.”

Sydney : William Applegate Gullick, Government Printer. —1899.

[1s.]



Marriage

Contract of marriage  
[Faint text describing the contract of marriage, including names and dates]

18 day of  
[Faint text with date and names]

[Faint text, possibly a signature or official statement]

WITNESSES

[Faint text, likely names of witnesses]

[Faint text, possibly a signature or official statement]

[Faint text, possibly a signature or official statement]

[Faint text, possibly a signature or official statement]