

guilty of an offence against this Act, and shall be liable on summary conviction to a penalty not exceeding £10, or on conviction on indictment to imprisonment with or without hard labour for a term not exceeding two years or to a fine not exceeding £50, and shall on conviction cease to be an authorised person.'

By sect. 15, 'So much of sects. 39 and 42 of the Marriage Act, 1836 (*f*), as punishes the solemnisation of or renders void any marriage by reason of the absence of the registrar is hereby repealed as regards any marriage authorised by and solemnized in accordance with this Act.'

By sect. 6 (3), "authorised person" is defined as "a person certified as having been duly authorised for the purpose by the trustees or other governing body of the building or of some registered building in the same registration district" including by sect. 1 in the case of Roman Catholic registered buildings "the bishop or vicar-general of the diocese."

By the Naval Marriages Act, 1908 (8 Edw. VII. c. 26), s. 3, 'All enactments (including penal provisions) relating—

- (1) to the publication of banns and certificates thereof, and
- (2) to notices and declarations for obtaining certificates from superintendent registrars and to such certificates and to all rules required under such enactments to be observed shall apply in the case of marriages to which this Act applies, subject to such adaptations therein as may be made by his Majesty by Order in Council' (*g*).

SECT. III.—OFFENCES WITH RESPECT TO SOLEMNISATION, REGISTRATION, &c.

Royal Marriages.—Marriages of members of the Royal family are specially excepted from the Marriage and Registration Acts (*h*), and are governed by the Royal Marriages Act, 1772 (12 Geo. III. c. 11), which confirms the prerogative of the Crown to superintend and approve of the marriages of the Royal family (*i*). The first section enacts, 'That no descendant of the body of his late Majesty King George the Second, male or female (other than the issue of princesses who may have married, or may hereafter marry, into foreign families) (*j*), shall be capable of contracting matrimony without the previous consent of his Majesty, his heirs, or successors, signified under the great seal, and declared in council (which consent, to preserve the memory thereof, is hereby directed to be set out in the licence and register of marriage, and to be entered in the books of the privy council); and that every marriage or matrimonial contract of any such descendant, without such consent first had and obtained, shall be null and void to all intents and purposes whatsoever.'

The only words in the section essential to make the marriage valid are those requiring the previous consent of His Majesty. The words requiring the recording of the consent on the licence and register of

(*f*) 6 & 7 Will. IV. c. 85, *ante*, p. 987.

(*g*) The Act relates to the publication on King's ships at sea of the banns of officers, seamen, or marines who are on the ship's books.

(*h*) 4 Geo. IV. c. 76, s. 30; 6 & 7 Will.

IV. c. 85, s. 40; 55 & 56 Vict. c. 23, s. 23.

(*i*) 1 East P. C. 478.

(*j*) On the marriage of Princess Eugénie Victoria of Battenberg to the King of Spain in 1906, an Order in Council was made.