

together with his or her place of residence, and the ground of objection on which his or her *caveat* is founded, no certificate shall be granted until the Registrar shall have examined into the matter of the *caveat*, and be satisfied that it ought not to obstruct the grant of the certificate for the said marriage, or until the *caveat* be withdrawn by the person entering the same :

Appeal on refusal.

Provided always that, in case of a Registrar refusing the grant of a certificate, the person applying for the same shall have a right to appeal to a Judge of the Supreme Court in a summary way, who shall thereupon either confirm the refusal or direct the grant of the certificate.

If *caveat* vexatious.

1880, No. 21, sec. 23

23. Every person who shall enter a *caveat* with the Registrar against the issue of any certificate on grounds which a Judge of the Supreme Court shall declare to be frivolous and vexatious, and that they ought not to obstruct the issue of the certificate, shall be liable for the costs of the proceedings and for damages, to be recovered in an action by the person against whose marriage such *caveat* shall have been entered.

#### Certificates.

Declaration to be made before certificate granted.

Ibid, sec. 24

24. Before any certificate as hereinafter mentioned shall be granted by any Registrar, he shall require the person giving notice of the intended marriage to make a solemn declaration of the truth of the several particulars set forth in such notice; and also

One of the persons intending marriage shall appear personally before such Registrar, and shall make his or her solemn declaration that he or she believes that there is not any impediment of kindred or alliance, or other lawful hindrance to the said marriage, and that one of the persons has, for the space of three days immediately before the day of making such declaration, had his or her place of abode within the district wherein such marriage is to be solemnised.

Provision in cases of minors.

Where either of the persons, not being a widow or a widower, shall be under the age of twenty-one years, such declaration shall further state that the consent of the person or persons whose consent to such marriage is by law required has been obtained thereto, or that there is no person resident in the colony having authority to give such consent, as the case may be.

No certificate to issue if any impediment.

Ibid, sec. 25

25. No such certificate shall be issued by any Registrar if any lawful impediment be shown to the satisfaction of such Registrar to the issue thereof, nor if the issue of such certificate shall have been forbidden in manner hereinbefore mentioned by any person or persons authorised in that behalf.

Immediate certificates for marriage may be issued in certain cases.

Ibid, sec. 26

26. It shall be lawful for the Registrar to whom notice shall have been given under the seventeenth section of this Act, immediately upon receipt of such notice, and upon the making of the declaration required by the twenty-fourth section, by one of the persons intending marriage, to issue a certificate of marriage in the cases following, that is to say :—

When it shall appear from the notice and declaration that both the persons intending marriage are of full age, or, if a person be under age, that such person is a widow or widower; or