

No. XII.

MARRIAGE ACT  
AMENDMENT.

AN ACT to amend "*The Marriage Act, 1854.*"

[29th July, 1856.]

Preamble.

WHEREAS by the seventeenth section of "*The Marriage Act, 1854,*" it is provided that in certain cases the consent of a Judge of the Supreme Court to the marriage of a person under age may be substituted for the consent of the father guardian or mother of such person: And whereas it is expedient that the said provision be amended:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand as follows:—

Repealing section 17  
of "*The Marriage  
Act, 1854.*"

In certain cases Judge  
of Supreme Court  
may consent to  
marriage of infants.

1. The said seventeenth section of the Marriage Act is hereby repealed.

2. In case any father guardian or mother, whose consent is made necessary by the said Act to the marriage of a person under age, shall be *non compos mentis*, or in case any such guardian shall unreasonably or from undue motives refuse or withhold his consent to a proper marriage, then it shall be lawful for any person desirous of marrying in any of the above-mentioned cases, to apply by petition to a Judge of the Supreme Court in a summary way, and in case the marriage proposed shall, upon examination, appear to be proper, such Judge shall judicially declare the same to be so, and such judicial declaration shall be deemed and taken to be as good and effectual to all intents and purposes as if the father guardian or mother of the person so petitioning had consented to such marriage.