1937

c 207 Marriage Act

Ontario

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SECTION XI.

LAWS AFFECTING SPECIAL CLASSES OF PERSONS.

CHAPTER 207.
The Marriage Act.

WHO MAY SOLEMNIZE MARRIAGES.

1.—(1) The following persons, when duly registered as hereinafter provided, being resident in Canada, may solemnize marriage between persons not under a legal disqualification to contract such marriage:

(a) The ministers and clergymen of every church and religious denomination duly ordained or appointed according to the rites and ceremonies of the church or denomination to which they respectively belong;

(b) Any elder, evangelist or missionary for the time being of any church or congregation of the religious people commonly called or known congregationally as "Congregations of God," "Congregations of Christ," or "Churches of Christ" and individually as "Disciples of Christ," who, from time to time, is chosen by any such congregation for the solemnization of marriages; R.S.O. 1927, c. 181, s. 1 (1), cls. (a, b).

(c) Any duly appointed commissioner or duly commissioned officer other than lieutenant of the religious society called the Salvation Army chosen or com-
missioned by the society to solemnize marriages;  
R.S.O. 1927, c. 181, s. 1 (1), cl. (c); 1928, c. 27, s. 2.

(d) Any elder for the time being of the church or con- 
gregation of religious people commonly called or 
known congregationally as "Farrington Independent Church," who, from time to time, is 
chosen by such church or congregation for the 
solemnization of marriages;

(e) Any recognized evangelist, teacher or elder for the 
time being of any congregation of Christians com- 
monly called or known as "Brethren" who may be 
appointed by any such congregation for the 
solemnization of marriages. R.S.O. 1927, c. 181, 
s. 1 (1), cls. (d, e).

(2) Any person who is duly qualified as above provided 
extcept as to residence shall if temporarily resident in Canada 
for the purpose of officiating during the absence or at the 
request of or for the purpose of assisting the clergyman or 
minister of any church or religious denomination within 
Ontario, be deemed for the purpose of this section resident in 
Canada.

(3) Notwithstanding anything contained in subsections 1 
and 2, the Provincial Secretary may authorize from time to 
time, any person mentioned in clauses a to e of subsection 1, 
who is a British subject and resident in the British Empire, 
notwithstanding that such person is not at the time resident 
in Canada, to solemnize the marriage of the parties mentioned 
in such authorization. R.S.O. 1927, c. 181, s. 1 (2, 3).

2.—(1) The Provincial Secretary shall from time to time, 
on application made to him according to forms prescribed by 
the Lieutenant-Governor in Council, or to the like effect, 
which application may be made by the applicant or, on his 
behalf, by the ecclesiastical authority or authorities of the 
church, religious denomination or congregation to which he 
belongs, register such person as authorized to solemnize 
marriage and may issue one or more certificates of such 
registration to any person so registered or otherwise and 
may include therein the name of any number of persons so 
registered.

(2) The Provincial Secretary shall keep in his office a 
register or record of names of all persons registered as author- 
ized to solemnize marriage, and the time when each such 
person was first so authorized, and, in case such registration 
has been cancelled, showing that fact and the date of such 
registration or revocation of authority to solemnize marriage.
(3) Whenever it is made to appear to the satisfaction of the Provincial Secretary that any person registered under the authority of subsection 1 has ceased to possess the qualifications entitling him to be so registered, he may annul such registration and thereby revoke such authority.

(4) Whenever any person is registered under the authority of subsection 1 to solemnize marriage, and whenever any registration has, as to any person, been cancelled, and the authority thereby revoked, the Provincial Secretary shall give notice in the *Ontario Gazette* of such registration and revocation of such authority, stating therein the name of the person registered as authorized, or as to whom such registration has been cancelled, and publication in the *Ontario Gazette* of notice, purporting to be by the Provincial Secretary, that any person named therein has been registered as authorized to solemnize marriage shall in all courts be conclusive evidence of such registration and of the authorization and qualification of such person to solemnize marriage, unless and until it shall appear by notice published in the *Ontario Gazette* as aforesaid that such registration has been cancelled and the authority thereby revoked. R.S.O. 1927, c. 181, s. 2.

3. Every marriage duly solemnized according to the rites, usages and customs of the religious Society of Friends, commonly called Quakers, shall be valid, and all the duties imposed by this Act, or by *The Vital Statistics Act*, upon a minister or clergyman, shall, with regard to such marriage, be performed by the clerk or secretary of the society or of the meeting at which the marriage is solemnized; but nothing herein shall require the marriage to be celebrated or solemnized by such clerk or secretary. R.S.O. 1927, c. 181, s. 3.

**LICENSE, CERTIFICATE OR PROCLAMATION REQUIRED.**

4.—(1) No minister, clergyman or other person shall solemnize any marriage unless duly authorized so to do by license under the hand and seal of the Lieutenant-Governor or of his deputy, or by a certificate under this Act, unless the intention of the persons to intermarry has been published as provided by subsection 2.

(2) Such intention shall be proclaimed once openly, and in an audible voice, either in the church, chapel or meeting-house in which one of the persons has been in the habit of attending worship, or in some church, chapel, meeting-house or place of public worship of the congregation or religious body with which the minister or clergyman who performs the ceremony is connected, in the local municipality, parish, circuit or pastoral charge, where one of the persons has,
for the space of fifteen days immediately preceding, had his or her usual place of abode, and where both the persons do not reside in the same local municipality, parish, circuit or pastoral charge, and the marriage is not authorized by license or certificate, a similar proclamation shall be made in the local municipality, parish, circuit or pastoral charge, being within Canada, where the other of the contracting parties has, for the space of fifteen days immediately preceding, had his or her usual place of abode, and where the proclamation last mentioned is required such marriage shall not be solemnized until there is delivered to the person proposing to solemnize it a certificate (Form 1) showing that such proclamation has been made.

(3) Every such proclamation shall be made on a Sunday, immediately before the service begins or immediately after it ends, or at some intermediate part of the service.

(4) The certificate of proclamation shall be signed by the clergyman, minister, clerk, secretary or other person who actually proclaimed the same, and shall show the official position of the person who signs it. R.S.O. 1927, c. 181, s. 4.

5.—(1) No marriage shall be solemnized under the authority of any proclamation of intention to intermarry unless such proclamation has been made at least one week previously, nor unless the marriage takes place within three months after the Sunday upon which the proclamation was made; nor shall a marriage be solemnized under the authority of any license or certificate unless within three months after the date thereof.

(2) No clergyman, minister or other person shall solemnize a marriage between the hours of ten o'clock after noon and six o'clock before noon unless he is satisfied from evidence adduced to him that the proposed marriage is legal and that exceptional circumstances exist which render its solemnization between those hours advisable.

(3) No clergyman, minister or other person shall solemnize a marriage without the presence of at least two adult witnesses, and two or more of such witnesses shall affix their names as witnesses to the record in the register prescribed by section 30.

(4) No clergyman, minister or other person who is an issuer of marriage licenses shall solemnize the marriage in any case in which he has issued the license or the certificate provided for by section 7 authorizing such marriage, but this subsection shall not apply to any of the provisional judicial districts except Muskoka.
(5) The certificate or license to marry or the certificate of proclamation, when such certificate is required, shall be left with the clergyman, minister or other person who solemnizes the marriage, and he shall forthwith after such solemnization endorse upon the certificate or license the particulars mentioned in Form 4, and thereupon forward such certificate or license to the Registrar-General. R.S.O. 1927, c. 181, s. 5.

6. No clergyman, minister or other person who solemnizes a marriage ceremony after banns have been published or a license or certificate has been issued under this Act in respect thereto shall be subject to any action or liability for damages or otherwise by reason of there having been any legal impediment to the marriage unless, at the time when he performed the ceremony, he was aware of the impediment. R.S.O. 1927, c. 181, s. 6.

7. A certificate (Form 2) according to the circumstances of the case may, at the option of the applicant, be substituted and shall have the same legal effect as a license. R.S.O. 1927, c. 181, s. 7.

Issue of Licenses and Certificates.

8.—(1) Marriage licenses and certificates in lieu of marriage licenses shall be issued from the office of the Provincial Secretary, and the clerk of every city, town and incorporated village and every magistrate having jurisdiction in territory without municipal organization shall be, ex-officio, an issuer of marriage licenses and, subject to any regulations as hereinafter provided, shall furnish marriage licenses to persons requiring the same.

(2) The Lieutenant-Governor in Council may, where it is deemed expedient for the public convenience, appoint the clerk of any township, or any person resident in the Provincial County of Haliburton or in a township adjacent thereto, or in a provisional judicial district, an issuer of marriage licenses. R.S.O. 1927, c. 181, s. 8.

9. Every license under the hand and seal of the Lieutenant-Governor or his deputy, and every certificate signed by the Provincial Secretary or Assistant Provincial Secretary, for the purpose of the solemnization of a marriage, shall be and remain valid notwithstanding that the Lieutenant-Governor or his deputy, or the Provincial Secretary or the Assistant Provincial Secretary has ceased to hold office before the time of the issue of the license or certificate. R.S.O. 1927, c. 181, s. 9.
10. If any person issues any license or certificate for the solemnization of marriage without the authority of the Lieutenant-Governor in Council, unless under the authority of section 11, he shall incur a penalty of $100 for every license or certificate so issued. R.S.O. 1927, c. 181, s. 10.

Appointment of Deputy Issuers.

11.—(1) An issuer of marriage licenses or certificates may, with the approval in writing of the Provincial Secretary or of the mayor or reeve of the municipality of which he is clerk, appoint, by writing under his hand, a deputy or deputies to act for him.

(2) A deputy while so acting shall have the power of the issuer appointing him.

(3) The issuer shall, upon appointing a deputy, forthwith transmit to the Provincial Secretary a notice of the appointment, and of the cause thereof, and of the name and official position of the person by whom the appointment has been approved, and the Lieutenant-Governor may at any time annul the appointment.

(4) The deputy shall sign each license and certificate issued by him with the name of the issuer as well as his own name in the following manner:—“A. B.—Issuer of Marriage Licenses, per C. D., Deputy-Issuer.” R.S.O. 1927, c. 181, s. 11.

12. An issuer of marriage licenses shall have full power and authority to require the production of witnesses to identify the applicants for licenses, or either of them, and also to examine, under oath or otherwise, the applicants or other witnesses as to any material inquiry pertaining to the issuance of the license as he may deem necessary or advisable. R.S.O. 1927, c. 181, s. 12.

13.—(1) An issuer of marriage licenses or certificates shall keep in his office a register or record of all licenses or certificates issued by him stating the serial number, the date of issue of the license or certificate and the names and addresses of the parties to the intended marriage.

(2) Any person shall be entitled, on signing an application in the prescribed form, to have a search made respecting any license or certificate issued within three months preceding the date of the application. R.S.O. 1927, c. 181, s. 13.
Effect of Irregular Issue of License or Certificate.

14. No irregularity in the issue of a license or certificate, where it has been obtained or acted on in good faith, shall invalidate a marriage solemnized in pursuance thereof. R.S.O. 1927, c. 181, s. 14.

Unissued Licenses or Certificates.

15. Every issuer of licenses or certificates and every other person having unissued licenses or certificates in his possession, power, custody, or control, shall, whenever required so to do, transmit the same to the Provincial Secretary, and the property in all unissued licenses and certificates shall be and remain in His Majesty. R.S.O. 1927, c. 181, s. 15.

Expenses of Procuring Licenses.

16. The Lieutenant-Governor in Council may make regulations defining the terms and conditions upon which marriage licenses and certificates shall be furnished and issued. R.S.O. 1927, c. 181, s. 16.

MARRIAGE OF PARTY UNDER EIGHTEEN YEARS OF AGE.

17.—(1) Save in cases provided for by subsections 3 and 4 and by section 18, where either of the parties to an intended marriage, not a widower or a widow, is under the age of eighteen years, the consent in writing of the father if living, or, if he is dead, or living apart from the mother and child, and is not maintaining or contributing to the support of such child, the consent in writing of the mother if living, or of a guardian if any has been duly appointed, shall be obtained from the father, mother or guardian before the license is issued or before the proclamation of the intention of the parties to intermarry is made. R.S.O. 1927, c. 181, s. 17 (1); 1932, c. 53, s. 17 (1).

(2) The execution of any consent required by this section shall be verified by affidavit or statutory declaration.

(3) In the case of a party under the age of eighteen years, and not being a widower or a widow, if the father and mother are dead and there is no guardian duly appointed the issuer, on being satisfied as to the facts, may grant the license or certificate.

(4) Where the parent whose consent is required has been declared to be mentally ill or is confined in a hospital for mentally ill, mentally defective or epileptic persons, or,
though living, is not a resident of Ontario, and is not in Ontario, or where such parents' whereabouts is unknown, at the time of the application for a license or certificate and the party under the age of eighteen years is and has been so resident for the next preceding twelve months, the issuer, on being satisfied by evidence of these facts, may grant the license or certificate. R.S.O. 1927, c. 181, s. 17 (2-4).

18. No license or certificate shall be issued to any person under the age of fourteen years, except where a marriage is shown to be necessary to prevent the illegitimacy of offspring and a certificate to that effect is given by a legally qualified medical practitioner known to the issuer, and, except in such a case, no person shall celebrate the marriage ceremony in any case in which either of the contracting parties is under the age of fourteen years to the knowledge or information of such person. R.S.O. 1927, c. 181, s. 18.

19. Notwithstanding anything in this Act contained, if the Provincial Secretary considers that circumstances justify the issue of a marriage license in any particular case, he may, in his absolute discretion, authorize an issuer of marriage licenses to issue a license upon the production of such evidence as the Provincial Secretary may deem sufficient. R.S.O. 1927, c. 181, s. 19.

PENALTY FOR MARRYING MENTALLY DEFECTIVE OR MENTALLY ILL PERSON.

20. If any issuer of marriage licenses issues a license for a marriage or if any minister, clergyman or other person solemnizes a marriage, knowing or having reason to believe that either of the parties to the intended marriage or to the marriage is a mentally defective or mentally ill person or is under the influence of intoxicating liquor, he shall incur a penalty not exceeding $500, and shall also be liable to imprisonment for any term not exceeding twelve months. R.S.O. 1927, c. 181, s. 20.

PENALTY UPON DISQUALIFIED MINISTER.

21. Any person not registered with and certified by the Provincial Secretary, as hereinbefore provided, or any person so registered and certified, but disqualified by change of residence or for any other reason, who solemnizes or undertakes to solemnize any marriage, shall incur a penalty of $500, and shall also be liable to imprisonment for any term not exceeding twelve months, but such penalties shall be recoverable or imposed only by action at the suit of the Crown. R.S.O. 1927, c. 181, s. 21.
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Chap. 207. SOLEMNIZATION OF MARRIAGE. Sec. 22 (1).

AFFIDAVIT FOR ISSUE OF LICENSE OR CERTIFICATE.

22. (1) Before a license or certificate is issued one of the parties to the intended marriage shall personally make an affidavit (Form 3) before the issuer which shall state,—

(a) in what county or district it is intended that the marriage shall be solemnized, and in what city, town, village, or place therein;

(b) that he or she believes there is no affinity, consanguinity, prior marriage, or other lawful cause or legal impediment to bar or hinder the solemnization of the marriage;

(c) that one of the parties has, for the space of fifteen days immediately preceding the issue of the license, had his or her usual place of abode within Ontario;

(d) the age of the deponent, and that the other contracting party is of the full age of eighteen years, or the age of such other contracting party, if under the age of eighteen years, as the case may be;

(e) the condition in life of each of the parties, whether bachelor, widower, spinster, widow or divorcee;

(f) the facts necessary to enable the issuer to judge whether or not the required consent has been duly given in the case of any party under the age of eighteen years, or whether or not such consent is necessary; and

(g) such information as shall be prescribed by order-in-council.

(2) If both of the parties have not, for the space of fifteen days immediately preceding the date of the affidavit, had their usual place of abode within Ontario, the license or certificate may be issued upon the applicant proving by the production of copies of a newspaper published in the municipality where the parties have had their usual place of abode, or if there is no such newspaper, a newspaper published as near to such municipality as may be, and containing notice of the intended marriage that such notice has been published once a week for three successive weeks immediately preceding the application for the license or certificate.

(3) Upon the applicant for a license or certificate stating that no such advertisement, as required by subsection 2, has been published, the issuer may report the circumstances to the Provincial Secretary, who, if he is satisfied that the
reason for having the marriage solemnized in the place mentioned in the affidavit is not in order to evade due publicity or for any other improper purpose, may in writing authorize the issue of the license or certificate, and in that case, a fee of $5 shall be paid for such authorization in addition to the usual license fee.

(4) Nothing in subsections 2 and 3 shall dispense with the proofs required by subsection 1, except that of residence as set out in clause c of that subsection.

(5) In addition to the proofs required by subsection 1 at the time of the application for a license or certificate there shall be produced and filed with the issuer,

(a) a copy of the registration of birth of the other party to the marriage certified by the Registrar General or other proper officer in this behalf; or

(b) an affidavit made by,—

(i) such other party to the marriage; or

(ii) some person being a member of his or her family and having personal knowledge of the facts,

stating the age, date and place of birth of such other party; provided that where such affidavit is made by such other party to the marriage it shall be sufficient to state the age, date and place of birth of such other party, according to the best of his knowledge, information and belief.

(6) Where both the parties to the intended marriage attend before the issuer and each of them makes the affidavit required in subsection 1, the issuer may in his discretion dispense with the proof required by subsection 5. R.S.O. 1927, c. 181, s. 22.

23.—(1) The affidavit required by subsection 1 of section 22, together with a statement (Form 5) showing the degrees of affinity and consanguinity which bar or hinder the solemnization of marriage, and such extracts from this Act as are necessary to show what persons are authorized to solemnize marriage in Ontario or an epitome of such extracts shall be printed upon the back or elsewhere on each license or certificate, and no license or certificate which has not such memorandum printed thereon, shall be issued.

(2) If at any time hereafter changes are made in the law affecting the degrees of relationship within which marriage may not be lawfully contracted, the Lieutenant-Governor in
Council may direct such changes to be made in Form 5, so as to make it conformable to the law for the time being. R.S.O. 1927, c. 181, s. 23.

LICENSE NOT TO BE ISSUED IN CERTAIN CASES.

24. Where the person having authority to issue the license or certificate has personal knowledge that the facts are not as required by section 17, he shall not issue the license or certificate, and if he has reason to believe or suspect that the facts are not as so required, he shall, before issuing the license or certificate, require further evidence to his satisfaction in addition to the affidavit prescribed by section 22. R.S.O. 1927, c. 181, s. 24.

25. Every issuer of marriage licenses shall, immediately upon issuing a marriage license or certificate, fill up on a form such of the particulars contained in Form 4 as he is able to give, and shall forward the same, together with the consent verified by affidavit and any other evidence obtained pursuant to the provisions of section 17 and the birth certificate or affidavit required by subsection 5 of section 22, and any further evidence obtained under the provisions of section 24, forthwith to the Registrar-General. R.S.O. 1927, c. 181, s. 25.

26.—(1) Every license shall be dated and every person who solemnizes a marriage under the authority of such license earlier than the third day after the day of the date of such license shall be guilty of an offence and shall incur a penalty of not more than $100; provided, however, that the Provincial Secretary in his absolute discretion may authorize the solemnization of marriage earlier than such third day in which case there shall be no penalty hereunder.

(2) Nothing in subsection 1 shall apply to or affect the solemnization of any marriage under the authority of a license issued under section 19. R.S.O. 1927, c. 181, s. 26.

27.—(1) No fee shall be payable for a license or certificate except the sum of $5, of which sum $4 shall be remitted by the issuer to the Treasurer of Ontario and the sum of $1 shall be allowed to the said issuer, which he shall be entitled to retain for his own use, unless and until the council of the municipality shall commute the said allowance for a fixed sum, payable annually by the municipality to the issuer and thereafter the aforesaid allowance on the issue of each license or certificate shall belong to the municipality.
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(2) When the council and the issuer do not agree upon the amount of the said commutation to be fixed, such amount may be fixed by the county judge, but in no case shall such amount exceed the sum of $2,000. R.S.O. 1927, c. 181, s. 27.

MARRIAGE OUT OF CHURCH VALID.

28. It shall not be a valid objection to the legality of a marriage that the same was not solemnized in a consecrated church or chapel or within any particular hours. R.S.O. 1927, c. 181, s. 28.

MARRIAGE CERTIFICATES.

29. Every clergyman, minister or other person who solemnizes a marriage, and the clerk or secretary of a society of Quakers, or of the meeting at which the marriage is solemnized, shall, at the time of the marriage, if required by either of the parties thereto, give a certificate of the marriage under his hand, specifying the names of the persons married, the time of the marriage, and the names of two or more persons who witnessed it, and specifying also whether the marriage was solemnized pursuant to license or certificate under this Act, or after proclamation of intention to intermarry, and the clergyman, minister, clerk or secretary may demand twenty-five cents for a certificate given by him. R.S.O. 1927, c. 181, s. 29.

REGISTRATION OF MARRIAGES.

30. Every clergyman, minister or other person authorized to solemnize marriage shall, immediately after he has solemnized a marriage, enter in a register to be kept by him for the purpose, unless a similar register is kept in the church at which he officiates, in which case the entries shall be made in that book, the particulars mentioned in Form 4 and shall authenticate the same by his signature. R.S.O. 1927, c. 181, s. 30.

31.—(1) Every clergyman, minister or other person authorized to solemnize marriage, where a marriage register is not already possessed by any church or congregation over which he is placed or has charge, shall make application for a register to the clerk of the local municipality within which the church or congregation is situate, and the clerk shall thereupon supply such register at the cost of the municipality.

(2) One additional register may be supplied, at the cost of the municipality, to any clergyman, minister or other person authorized to solemnize marriage, and a register shall also,
on application, be supplied at the like cost to any clergyman or minister in the municipality who is not in charge of a church or congregation.

(3) Every clergyman or minister in charge of a church or congregation in an unorganized township shall, upon a written application to be made by him to the Registrar-General, receive a register to be supplied by the Registrar-General. R.S.O. 1927, c. 181, s. 31.

(As to returns to be made, see The Vital Statistics Act, Rev. Stat. c. 88.)

32. The register, by whomsoever furnished, shall be the property of the denomination or body to which the clergyman, minister or other person to whom it is delivered belongs at the time of the delivery thereof, and where he is in charge of a particular congregation of such denomination, it shall belong to the trustees or other body in which the property of the church or meeting house used by such congregation for its ordinary services is vested. R.S.O. 1927, c. 181, s. 32.

33. Every marriage solemnized in good faith and intended to be in compliance with this Act between persons not under a legal disqualification to contract such marriage shall be deemed a valid marriage so far as respects the civil rights in Ontario of the parties or their issue, and in respect of all matters within the jurisdiction of this Legislature, notwithstanding that the clergyman, minister or other person who solemnized the marriage was not duly authorized to solemnize marriage, and notwithstanding any irregularity or insufficiency in the proclamation of intention to intermarry or in the issue of the license or certificate, or notwithstanding the entire absence of both; provided that the parties, after such solemnization, lived together and cohabited as man and wife. R.S.O. 1927, c. 181, s. 33.

PENAL PROVISIONS.

34.—(1) Any person who knowingly makes any false statement of fact in any affidavit made under the provisions of this Act or in or touching the particulars mentioned in Form 4, in addition to any other penalty or punishment which he may be liable to incur, shall, on summary conviction, be liable to a penalty of not less than $20 and not more than $200. 1931, c. 23, s. 14.

(2) Every person guilty of an act or omission in violation of any provision of this Act, for which no other penalty is provided, shall incur a penalty of $20.
(3) Every prosecution for a penalty imposed by or under the authority of this Act shall be commenced within one year after the act or omission complained of.

(4) No prosecution for a penalty imposed by or under the authority of this Act shall be brought without the permission of the Attorney-General.

(5) Every such penalty shall be recoverable under *The Summary Convictions Act*, R.S.O. 1927, c. 181, s. 36 (2-5).

35. So many of the provisions of the Act of the Parliament of Canada, being 20-21 George V, chapter 14, of the Statutes of Canada, 1930, and cited as *The Divorce Act (Ontario), 1930*, as are, or may be within the legislative competence of this Legislature, are hereby enacted as if fully set out in this Act. 1933 c. 29 s. 2, part.
FORM 1.

(Section 4.)

CERTIFICATE OF PROCLAMATION OF INTENTION TO INTERMARRY

I hereby certify that on Sunday, the day of 19, the intention of A.B., of (state residence) and C.D., of (state residence), to intermarry was duly proclaimed by me in Church, being the church in the (state name of township or other local municipality or parish, circuit or pastoral charge). I further certify that I verify believe the said A.B. (or C.D.) had his (or her) usual place of abode in the said (township or other local municipality or parish, circuit or pastoral charge) for the space of fifteen days immediately preceding the said Sunday.

Dated this day of , 19 .

Minister of Church.

R.S.O. 1927, c. 181, Form 1.

FORM 2.

(Section 7.)

CERTIFICATE BEFORE MARRIAGE WITHOUT PROCLAMATION.

These are to certify that A.B., of and C.D., of being minded, as it is said, to enter into the contract of marriage, and being desirous of having the same duly solemnized, the said A.B. (or C.D.) has made oath, as required by law:

1. That he (or she) believes that there is no affinity, consanguinity, prior marriage, or any other lawful cause or legal impediment to bar or hinder the solemnization of the said marriage;

2. That said A.B. (or C.D. or both, as the case may be), has (or have) had his (or her, or their) usual place of abode, for the space of fifteen days last past, within the city (county or district) of , namely, in the township (town or village) of in the said county (or district) of ;

3. That the said A.B. and C.D. are of the full age of eighteen years;

for that A.B. or C.D. is a widower or widow; or is under the age of eighteen years, and that the consent of E.D., whose consent to said marriage is required by law, has been obtained; or that the father of the said (party under age) is dead, and no guardian of the person of the said (party) has been appointed, and the mother of the said (party) is dead and there is no person having authority to give consent to said marriage (as the case may be);

These are therefore to certify that the requirements of The Marriage Act have been complied with and such marriage may be solemnized in the County of (naming the county or district within which it is intended that the marriage shall be solemnized).

Given under my hand and seal at this day of , 19 .

Issuer (or Deputy-Issuer) of Licenses.

Issued from the Office of the Provincial Secretary for the Province of Ontario this day of , 19 .

K.L.,

Provincial Secretary.

R.S.O. 1927, c. 181, Form 2.
FORM 3.

(Section 22.)

AFFIDAVIT REQUIRED BY PROVISION OF THE MARRIAGE ACT BEFORE LICENSE IS GRANTED.

I,........................................of the..................................of ........................................(occupation) make oath and say as follows:

THAT, for the space of fifteen days immediately preceding the date of this affidavit........................................(Name in full of deponent or of the other contracting party or as the case may be) had........................................(my, his, her or our) usual place of abode within the Province of Ontario.

THAT I believe there is no affinity, consanguinity, prior marriage or other lawful cause or legal impediment to bar or hinder the solemnization of the marriage, and

THAT the contents set forth herein are to the best of............(my or our) knowledge............information and belief, true in every particular.

Names in full
Occupation.
Age and Condition in Life. Age Bachelor, Widower, Divorcee
Religious Denomination. Age Spinster, Widow, Divorcee
Age
Residence when Married. Place of Birth. Intended Place of Marriage

Sworn before me at the

of

in the County of. .......... ........................... (Signature of Deponent)

this............day of. .......... 193.

Issuer of Marriage Licenses at. .......... (Signature of Issuer)

R.S.O. 1927, c. 181, Form 3.
### BRIDEGROOM.

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<tr>
<td>Age</td>
<td></td>
</tr>
<tr>
<td>Residence when married.</td>
<td></td>
</tr>
<tr>
<td>Place of birth.</td>
<td></td>
</tr>
<tr>
<td>Bachelor, Widower or Divorcee.</td>
<td></td>
</tr>
<tr>
<td>(b., w. or d.)</td>
<td></td>
</tr>
<tr>
<td>Occupation</td>
<td></td>
</tr>
<tr>
<td>Religious Denomination of Bridegroom</td>
<td></td>
</tr>
<tr>
<td>Names of Parents.</td>
<td></td>
</tr>
</tbody>
</table>

### BRIDE.

<table>
<thead>
<tr>
<th>Her name.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td></td>
</tr>
<tr>
<td>Residence when married.</td>
<td></td>
</tr>
<tr>
<td>Place of birth.</td>
<td></td>
</tr>
<tr>
<td>Spinster, Widow or Divorcee.</td>
<td></td>
</tr>
<tr>
<td>(s., w. or d.)</td>
<td></td>
</tr>
<tr>
<td>Religious Denomination of Bride.</td>
<td></td>
</tr>
<tr>
<td>Names of Parents.</td>
<td></td>
</tr>
<tr>
<td>Whether Married by License or Banns (L. or b.)</td>
<td></td>
</tr>
</tbody>
</table>

#### SIGNATURES

- of Bridegroom
- of Bride
- of Witnesses

<table>
<thead>
<tr>
<th>Residence.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**I certify the above-named parties were married by me at**, in the County of **19**, in this **day of**

Minister of, etc.

R.S.O. 1927, c. 181, Form 4.
A man may not marry his
1. Grandmother
2. Grandfather's wife
3. Wife's grandmother
4. Aunt
5. Uncle's wife
6. Wife's aunt
7. Mother
8. Step mother
9. Wife's mother
10. Daughter
11. Wife's daughter
12. Son's wife
13. Sister
14. Granddaughter
15. Grandson's wife
16. Wife's granddaughter
17. Niece
18. Nephew's wife
19. Wife's niece* 
20. Brother's wife

A woman may not marry her
1. Grandfather
2. Grandmother's husband
3. Husband's grandfather
4. Uncle
5. Aunt's husband*
6. Husband's uncle*
7. Father
8. Step father
9. Husband's father
10. Son
11. Husband's son
12. Daughter's husband
13. Brother
14. Grandson
15. Granddaughter's husband
16. Husband's grandson
17. Nephew
18. Niece's husband
19. Husband's nephew
20. Husband's brother

The relationships set forth in this table include all such relationships, whether by the whole or half blood, and whether legitimate or illegitimate.

*By the Revised Statutes of Canada, 1927, c. 127, s. 2, it is enacted that “A marriage is not invalid merely because the woman is a sister of a deceased wife, or a daughter of a sister of a deceased wife of the man.”

†By the Revised Statutes of Canada, 1927, c. 127, s. 3, it is enacted that “A marriage is not invalid merely because the man is a brother of a deceased husband of the woman or is a son of such brother.”

R.S.O. 1927, c. 181, Form 5.