

**CHAPTER 97.****CIVIL MARRIAGE.****ARRANGEMENT OF SECTIONS.****SECTION.**

1. Short title, construction and application.
2. Interpretation.
3. Registrars of Marriages.
4. Notice of marriage.
5. Supply of forms by Registrar.
6. Publication of notice.
7. Issue of certificate by Registrar on proof of necessary conditions by affidavit.
8. Marriage to take place within three months after date of notice.
9. Grant by Governor of licence to marry.
10. Caveat may be entered against issue of certificate.
11. When caveat entered question to be referred to Court.
12. Removal of caveat.
13. Compensation and costs.
14. Marriage in a Registrar's office.  
Form to be observed.
15. Marriage when invalid.
16. Registration.
17. Correction of accidental errors in register.
18. Registrars deemed officers of Registrar General's department.
19. Registrar unlawfully celebrating marriage.  
Penalty.  
Proviso as to marriage of persons under age without consent.
20. False declarations for certificate or licence.
21. Fees.

---

**SCHEDULES.**

---

**CHAPTER 97.****CIVIL MARRIAGE.****An Ordinance to Provide for Civil Marriages in the Colony and Protectorate of Sierra Leone.**

9 of 1910.  
21 of 1929.  
14 of 1953.

[12TH SEPTEMBER, 1910.]

1. This Ordinance may be cited as the Civil Marriage Ordinance, and shall be read and construed as one with the Christian Marriage Ordinance (hereinafter referred to as the Principal Ordinance), and shall apply to the Colony and Protectorate.

Short title,  
construction  
and  
application.  
Cap. 95.

Interpreta-  
tion.

2. In this Ordinance, unless the context otherwise requires, the expression "Registrar" means a Registrar of Marriages.

Registrars of  
Marriages.\*

3. For the purposes of this Ordinance the Registrar General shall be Registrar of Marriages for the Police District of Free-town and the Headquarters Judicial District while the District Commissioners in the Colony and Protectorate shall be Registrars of Marriages in their respective districts.

Notice of  
marriage.

4. Whenever after the commencement of this Ordinance any person, other than a native, desires to be married in the Office of a Registrar, one of the parties to the intended marriage shall sign and give to the Registrar of the district, in which the marriage is intended to take place, a notice according to the form in Schedule A hereto and shall pay the prescribed fee.

Supply of  
forms by  
Registrar.

5. Every Registrar shall supply forms of notice gratuitously to any persons applying for the same.

Publication  
of notice.

6. Upon receipt of such notice the Registrar shall cause the same to be entered in a book to be called the "Marriage Notice Book," which may be inspected during office hours without fee. He shall also publish such notice by affixing, or causing to be affixed, a copy of the same on the outer door of his office, to be kept exposed there until he shall grant his certificate as hereinafter mentioned, or until three months shall have elapsed.

Issue of  
certificate by  
Registrar on  
proof of  
necessary  
conditions by  
affidavit.

7. The Registrar, at any time after the expiration of twenty-one days and before the expiration of three months from the date of the notice, upon payment of the prescribed fee, shall thereupon issue his certificate according to the form in Schedule B hereto:

Provided always that he shall not issue such certificate until one of the two parties to the intended marriage shall appear personally and make an affidavit—

(a) that one of the parties to the intended marriage has resided within the district in which the marriage is intended to be celebrated for at least fifteen days before the granting of the certificate;

(b) that each of the parties to the intended marriage (not being a widower or widow) is twenty-one years old, or that, if he or she is under that age, the consent of the person or persons, whose consent to such marriage is required by law,

\* The words "the Headquarters Judicial District while" were added by Ordinance No. 14 of 1953, which commenced on the 1st July, 1953.

has been obtained or that there is no person having authority to give such consent, as the case may be;

(c) that there is no impediment of consanguinity or affinity, or other lawful hindrance to the marriage.

8. If the marriage shall not take place within three months after the date of the notice, the notice and all proceedings consequent thereupon shall be void, and fresh notice must be given before the parties can lawfully marry.

Marriage to take place within three months after date of notice.

9. The Governor upon proof by affidavit made before the Registrar General that there is no lawful impediment to the proposed marriage, and that the necessary consent, if any, to such marriage has been obtained, may, if he shall think fit, dispense with the giving of notice and with the issue of the certificate of the Registrar and may grant his licence, which shall be according to the form in Schedule C hereto, authorising the celebration of a marriage between the parties named in such licence by a Registrar.

Grant by Governor of licence to marry.

10. Any person whose consent to a marriage is hereby required, or who may know of any just cause why the marriage should not take place, may enter a caveat against the issue of the Registrar's certificate by writing at any time before the issue thereof the word "*Forbidden*" opposite to the entry of the notice in the Marriage Notice Book, and appending thereto his name and place of abode, and the grounds upon or by reason of which he claims to forbid the issue of the certificate, and the Registrar shall not issue his certificate until such caveat shall be removed as hereinafter is provided.

Caveat may be entered against issue of certificate.

11. Whenever a caveat is entered against the issue of a certificate, the Registrar shall refer the matter to the Chief Justice, and the Chief Justice shall thereupon summon the parties to the intended marriage and the person by whom the caveat is entered to appear before him, and shall require the person by whom the caveat is entered to show cause why the Registrar should not issue his certificate, and shall hear and determine the case in a summary way, and his decision shall be final.

When caveat entered question to be referred to Court.

12. If the Chief Justice decides that the certificate ought to be issued he shall remove the caveat by cancelling the word "*Forbidden*" in the Marriage Notice Book in ink, and writing in such Marriage Notice Book immediately below such entry

Removal of caveat.

and cancellation the words “*cancelled by order of the Supreme Court,*” and signing his name thereto. The Registrar shall then issue his certificate and the marriage may proceed as if the caveat had not been entered, but the time that has elapsed between the entering and the removal of the caveat shall not be computed in the period of three months specified in section 7 hereof.

Compensation and costs.

13. The Chief Justice may award compensation and costs to the party injured, if it has appeared that a caveat was entered on insufficient grounds.

Marriage in a Registrar's office.

14. After the issue of the certificate by a Registrar under section 7 hereof or after the granting of a licence under section 9 hereof, the parties may, if they think fit, contract a marriage before such Registrar or the Registrar named in the licence, as the case may be, in the presence of two witnesses in his Office with open doors on any day within three months of the date of the issuing of the certificate or of the date of the licence and between the hours of nine in the forenoon and three in the afternoon and in the following manner—

Form to be observed.

The Registrar shall address the parties thus—

“Do I understand you A.B. and you C.D. that you come here for the purpose of becoming man and wife?”

Upon being answered in the affirmative he shall proceed thus—

“Know ye that by the public taking of each other as man and wife in my presence and in the presence of the persons now here, and by the subsequent attestation thereof by signing your names to that effect, you become legally married to each other although no other rite of a civil or religious nature shall take place, and that this marriage cannot be dissolved during your lifetime except by a valid judgment of divorce, and if either of you before the death of the other shall contract another marriage while this remains undissolved, you will be thereby guilty of bigamy, and liable to the punishment inflicted for that offence.”

Each of the parties shall then say to the other—

“I call upon all persons here present to witness that I, A.B., do take thee, C.D., to be my lawful wife (*or husband*).”

Marriage when invalid.

15. No marriage celebrated before a Registrar shall be valid—

(a) unless the parties thereto have obtained a certificate of the Registrar or licence of the Governor;

(b) if there exists any such impediment thereto as is mentioned in sub-sections (1) and (3) of section 7 of the Principal Ordinance;

(c) if celebrated under a false name or false names with the knowledge of both parties; or

(d) unless celebrated in the presence of at least two witnesses.

Save as aforesaid, every marriage celebrated under the provisions of this Ordinance shall be valid until it be lawfully dissolved.

16. (1) There shall be kept in the office of the Registrar a book to be called the "Marriage Register Book." Such book shall be according to the form of Schedule D hereto or such form as shall be prescribed from time to time by the Governor and shall be a numbered counterfoil book. Immediately after the celebration of a marriage, the Registrar shall register consecutively in such book the prescribed particulars relating to such marriage, and shall also register the same on the counterfoil. The register and the counterfoil shall be signed by the Registrar, the parties and the two witnesses. Registration.

(2) For the purpose of making the entries aforesaid it shall be lawful for the Registrar to ask of the parties information as to the prescribed particulars, and the parties are hereby required to supply the Registrar with the required information. The Registrar, other than the Registrar General, shall forward the counterfoil aforesaid duly filled in and signed as aforesaid to the Registrar General. The counterfoil aforesaid shall be forwarded as aforesaid with all reasonable despatch, and if sent by post shall be registered free of cost.

17. No Registrar who shall discover any error to have been committed in the form or substance of any entry of marriage shall be therefor liable to any of the penalties imposed by the General Registration Ordinance, or any Ordinance amending the same, if within one month next after the discovery of such error he shall correct in the presence, if possible, of the parties married, the erroneous entry in the Marriage Register Book according to the truth of the case by entry in the margin, without any alteration of the original entry, and shall sign the marginal entry and add thereunto the day of the month and year when such correction shall be made, and shall send to the Correction of accidental errors in register. Cap. 255.

Registrar General an exact copy of the page in the Marriage Register Book, showing the original entries as well as the corrections.

Registrars deemed officers of Registrar General's department. Cap. 255.

**18.** All Registrars shall be deemed to be officers in the department of the Registrar General, and the provisions of the General Registration Ordinance, or any Ordinance amending the same, shall be deemed to be incorporated with this Ordinance in so far as the same are applicable.

Registrar unlawfully celebrating marriage.

**19.** Any Registrar who celebrates a marriage knowing of one or other of the impediments mentioned in section 7 of the Principal Ordinance, or otherwise than within the period and hours specified in section 14 hereof, or without a certificate or licence duly obtained, shall be guilty of an offence and liable on conviction thereof to a fine not exceeding one hundred pounds or imprisonment, with or without hard labour, for one year or to both:

Penalty.

Proviso as to marriage of persons under age without consent.

Provided always that no Registrar, who shall celebrate any marriage after certificate or licence duly obtained or between persons both or one of whom (not being a widow or widower) shall at the time of such marriage be under the age of twenty-one years, shall be answerable or responsible or liable to any pain, penalty or proceeding for having celebrated such marriage without the consent of the parent, guardian or other person (if any) whose consent is required by law, unless such parent, guardian or other person shall enter a caveat against the issue of the Registrar's certificate as hereinbefore provided.

False declarations for certificate or licence.

**20.** Whoever in any affidavit required by law to be made for the purposes of enquiries antecedent to the issuing of a certificate under section 7 hereof, or the granting of a licence under section 9 hereof, swears to any material matter which is false, shall, if he does so without having taken reasonable means to ascertain the truth or falsity of such matter, on conviction be liable to imprisonment for one year, or shall, if he does so knowing that such matter is false, on conviction be liable to imprisonment, with or without hard labour, for any period not exceeding five years.

Fees.

**21.** The fees prescribed to be paid under this Ordinance shall be regulated by Schedule E hereto.

## SCHEDULE A.

Sec. 4.

## NOTICE OF MARRIAGE.

TO THE REGISTRAR of Marriages for the.....District  
of the Colony (*or Protectorate*) of Sierra Leone.

I HEREBY give you notice that a marriage is intended to be had within  
three months from the date hereof between me the undersigned and the  
other party herein named.

Name.	Condition.	Occupation, rank or profession.	Age.	Dwelling or place of abode.	Consent, if any, and by whom given.
Bridegroom...	Bachelor or widower	Boatman	23	Congo Town	—
Bride ...	Spinster or widow	Laundress	18	Kissy	Father.

Witness my hand, this.....day of.....19.....

.....  
*Signature*

## SCHEDULE B.

Sec. 7.

## REGISTRAR'S CERTIFICATE.

I,....., Registrar of Marriages in the.....  
District of the Colony (*or Protectorate*) of Sierra Leone do hereby certify  
that on the.....day of.....19....., notice was  
duly entered in the Marriage Notice Book of this District of the marriage  
intended between the parties herein named and described, such notice being  
delivered under the hand of one of the parties, that is to say—

Name.	Condition.	Occupation, rank or profession.	Age.	Consent.	Dwelling or place of abode.	Length of residence.
A.B. ...	Bachelor	Boatman	19	E.F., the Father	Congo Town	
C.D. ...	Spinster	Laundress	16	G.H., the Mother	Kissy	

Date of Notice entered.....19.....

Date of Certificate given.....19.....

No caveat has been entered against the issue of this certificate.

*Or*

A caveat was entered against the issue of this certificate on the day of  
.....19....., but it has been cancelled.

Witness my hand this.....day of.....19.....

.....  
 (J.K.) Registrar of Marriages.  
 .....District.

NOTE.—This Certificate will be void, unless the marriage is solemnised on or before the.....day of.....19.....  
 (J.K.)

Sec. 9.

SCHEDULE C.

SPECIAL LICENCE.

WHEREAS ye are minded, as it is said, to enter into a contract of marriage under the provisions of the Civil Marriage Ordinance, and are desirous that the same may be speedily celebrated; and whereas you A.B. (or you C.D.) have made an affidavit before the Registrar General of the Colony that you believe there is no impediment of kindred or alliance, or other lawful hindrance to the said marriage, and that you A.B. (or C.D.) not being a widower (or widow) are (or is) under the age of twenty-one years, and that the consent of E.F., whose consent to your (or his or her) marriage is required by law, has been obtained thereto (or that there is no person having authority to give such consent):

Now, therefore, in pursuance of the said Ordinance, I do hereby dispense with the giving of notice and the issue of the certificate thereby prescribed, and do hereby authorise the Registrar of Marriages of the District of .....to celebrate marriage between you A.B. and C.D. at (*place of celebration*), between the hours of nine o'clock in the forenoon and three o'clock in the afternoon and within three calendar months from the date hereof.

Given under my hand, this.....day of.....19.....

.....  
 Governor.



SCHEDULE D.

Sec. 16.

Civil Marriage Ordinance,.....

Civil Marriage Ordinance.

Marriages celebrated in the Registrar's office at..... in the District of..... in the Colony (or Protectorate) of Sierra Leone.

Marriages celebrated in the Registrar's office at..... in the District of..... in the Colony (or Protectorate) of Sierra Leone.

CERTIFICATE OF MARRIAGE.

CERTIFICATE OF MARRIAGE.

No.	No.	When married.	Names and Surnames.	Full age or married.	Condition.	Rank or profession.	Residence at time of marriage.	Father's name and surname.	Occupation, rank of profession of father.	No.	When married.	Names and Surnames.	Full age or married.	Condition.	Rank or profession.	Residence at time of marriage.	Father's name and surname.	Occupation, rank or profession of father.
Date.																		
19 .																		
Name of Husband																		
Name of Wife																		
Witnesses																		

Married at..... before me

Married at..... before me

A.B.

A.B.

Registrar.

Registrar.

This marriage } A.B. { In the } E.F.  
 was celebrated } C.D. { presence } of us. } G.H.  
 between us. } Witnesses.

This marriage } A.B. { In the } E.F.  
 was celebrated } C.D. { presence } of us. } G.H.  
 between us. } Witnesses.

Sec. 21.

## SCHEDULE E.

## FEES.

	£	s.	d.
Filing every notice and entering same ... ..	0	3	0
On issue of each certificate ... ..	0	2	6
Licence to marry without notice or certificate ... ..	5	5	0
On every marriage in Registrar's Office ... ..	1	1	0
For searching the Marriage Register books for every half-hour or fraction thereof during which the search shall continue ...	0	1	0
For a certified extract ... ..	0	5	0

---