

MARRIAGE OF ENGLISH WOMEN WITH HINDUS, MOSLEMS, AFRICAN NEGROES, ETC.

The marriage of a woman of British nationality professing the Christian faith with a Hindu or Mohammedan, even in a case when it is valid in all respects in this country, is not necessarily so when the husband returns to India or his own Mohammedan country. In India he is subject to what is known as his "personal" law if a Hindu, and this law would probably not recognize the marriage at all, and in the case of a Mohammedan the fact that the marriage took place under forms prescribed by English law only might give rise to doubts in a Mohammedan country as to the validity of the marriage, or at least place the parties in a position of some difficulty. The Indian Courts would in such cases be able to offer very inadequate (if any) protection to the wife of such an English marriage, while her position under a foreign Court would be presumably worse.

In neither case is the marriage one that necessarily implies (outside England) the voluntary union for life of one man and one woman to the exclusion of all others, for under his "personal" law the Hindu, and under Mohammedan law the Mohammedan, husband may if he desires take other wives in addition to the first without consulting his Christian wife in any way. Even if the Hindu or Mohammedan husband had entered into a covenant with his Christian wife not to take any other wife such a covenant could not prevent him from taking another wife in India or a Mohammedan country if he so desired. The forms observed at a marriage under English law before a Registrar are not necessarily recognized by Mohammedan law as giving any legal effect or validity to the marriage relationship, and afford no protection to the wife in a country where Mohammedan law is observed. Where a marriage relationship is constituted which the Mohammedan law will recognize a Mohammedan husband may, under Mohammedan law, divorce his wife at will without any legal formality beyond that of repudiating her, while should he return to his own country leaving his Christian wife here, the difference of domestic domicile might be equivalent to divorce under Mohammedan law; in either case such divorce, while not dissolving the marriage in England under English law, would be operative in the Mohammedan country.

In the case of a woman of British nationality professing the Christian faith who marries a Mohammedan who is not a British subject, but is a subject or citizen of a Mohammedan State, she loses her British nationality on her marriage, and when the husband and wife land in any Mohammedan country (not being in the Dominions or under the protectorate of His Britannic Majesty) they both become subject to the Mohammedan law. Further, the wife, having lost her British nationality, would appear to have become disentitled to the protection or assistance of any British authority, Consular or otherwise.

African Negroes: These are in many cases in their own countries subject in certain particulars to native law and custom which may permit of polygamy.

No. 4.

New Zealand, No. 94.

MY LORD,—

Downing Street, 27th February, 1914.

With reference to my predecessor's despatch, No. 78, of the 20th May, 1908, I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of an Address of the House of Commons for a return of the amounts of the grants made during each of the last six years by Governments of the self-governing Dominions to rifle associations for the encouragement of rifle shooting and the expenses of colonial representative rifle teams.

2. I shall be grateful if your Ministers can see their way to furnish me with particulars of the money, if any, expended for these purposes from public funds in New Zealand.

I have, &c.,

L. HARCOURT.

Governor His Excellency the Right Hon. the Earl of Liverpool,
K C.M.G., M.V.O., &c.

Enclosure.

HOUSE OF COMMONS.

Thursday, 19th February, 1914.

Rifle Associations (Colonies' Grants).

Resolved, That an humble address be presented to His Majesty that he will be graciously pleased to give directions that there be laid before this House a return of the amounts of the grants made during each of the last six years by Governments of the self-governing Dominions, Crown and other colonies, and Protectorates to rifle associations for the encouragement of rifle shooting and for the maintenance and expenses of colonial representative rifle teams (in continuation of Parliamentary Paper No. 319 of session 1908).

Ordered, That the said address be presented to His Majesty by such Members of this House as are of His Majesty's Most Honourable Privy Council or of His Majesty's household.

CLERK OF THE HOUSE OF COMMONS.

A.—1, 1915,
No. 13.