

EMMELINE EMMA
BLAKE AND
PATRICK MEHAN.

An Act to declare void an alleged Marriage
between Emmeline Emma Blake an infant
and Patrick Mehan. [Reserved.]

Preamble.

WHEREAS Emmeline Emma Blake was in the month of June in the year of our Lord one thousand eight hundred and fifty-one an unmarried girl of the age of fourteen years and six months or thereabouts and was in the possession and under the care custody and guardianship of Thomas Blake her father then residing in the city of Sydney in the Colony of New South Wales And whereas in the said month of June in the year aforesaid Patrick Mehan Mary Oates sister of the said Patrick Mehan and Mary Ryan each of Sydney aforesaid well knowing that the said Emmeline Emma Blake was unmarried and of the age of fourteen years and six months or thereabouts and in the possession and under the care custody and guardianship of the said Thomas Blake her father did at Sydney aforesaid unlawfully and wickedly conspire confederate and agree together to entice inveigle and take the said Emmeline Emma Blake out of the possession and from the care custody and guardianship of the said Thomas Blake her father and to cause and procure a marriage to be solemnized at Sydney aforesaid between the said Emmeline Emma Blake and Patrick Mehan in a secret and clandestine manner without the publication and proclamation of the banns of matrimony and without the consent and against the will of the said Thomas Blake her father And whereas the said Mary Ryan in furtherance of the said conspiracy combination and agreement did on or about the eleventh day of June in the year aforesaid at Sydney aforesaid falsely and fraudulently certify to the Reverend James Fullerton (the said Reverend James Fullerton then being a Minister of the Presbyterian Church of Scotland) that Amelia Blake (being the said Emmeline Emma Blake) daughter of the said

Thomas

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Thomas Blake was above seventeen years of age and that she the said Mary Ryan believed that the said Thomas Blake would approve of the said Emmeline Emma Blake being united in marriage to the said Patrick Mehan. And whereas the said Patrick Mehan Mary Ryan and Mary Oates in furtherance of the said conspiracy combination and agreement did on or about the thirteenth day of June in the year aforesaid at Sydney aforesaid unlawfully and wickedly entice inveigle and take the said Emmeline Emma Blake out of the possession and from the care custody and guardianship and without the consent and against the will of the said Thomas Blake her father and the said Patrick Mehan Mary Ryan and Mary Oates having so obtained possession of the said Emmeline Emma Blake without the consent and against the will of the said Thomas Blake her father did on the day and year last aforesaid take and convey the said Emmeline Emma Blake to the house of the said Reverend James Fullerton at Sydney aforesaid (the said Reverend James Fullerton then being a Minister of the Presbyterian Church of Scotland) and did then and there unlawfully and fraudulently cause and procure a marriage to be solemnized by the Reverend James Fullerton between Amelia Blake (being the said Emmeline Emma Blake) and the said Patrick Mehan according to the rites of the Presbyterian Church of Scotland in a secret and clandestine manner without the publication or proclamation of the banns of matrimony and without the consent and against the will of the said Thomas Blake her father. And whereas at the time of the solemnization of the said alleged marriage the said Emmeline Emma Blake was a member of the Episcopalian Church of England and the said Patrick Mehan was a member of the Church of Rome. And whereas at the time of the solemnization of the said alleged marriage the said Patrick Mehan made a certain declaration before the said Reverend James Fullerton that he the said Patrick Mehan was a member of or held communion with the Presbyterian Church of Scotland and Amelia Blake (being the said Emmeline Emma Blake) also made a certain other declaration before the said Reverend James Fullerton that she the said Amelia Blake (being the said Emmeline Emma Blake) was a member of or held communion with the Church of Scotland. And whereas the said Thomas Blake on or about the twentieth day of June in the year aforesaid at Sydney aforesaid initiated criminal proceedings against the said Patrick Mehan Mary Ryan one James Mather and the said Mary Oates and made a certain deposition on oath before James Sheen Dowling Esquire then being one of Her Majesty's Justices of the Peace acting in and for the city of Sydney aforesaid in which deposition the said Thomas Blake charged the said Patrick Mehan Mary Ryan and James Mather with having unlawfully taken from the care and possession of the said Thomas Blake and against his will and consent his child Emily Blake (being the said Emmeline Emma Blake) and the said Thomas Blake on or about the twenty-first day of June in the year aforesaid made a certain other deposition on oath before the said James Sheen Dowling then being such Justice of the Peace as aforesaid in which said last-mentioned deposition the said Thomas Blake charged the said Mary Oates with having aided and abetted and been concerned in the unlawful taking away from the care and possession of the said Thomas Blake his unmarried daughter Emily Blake (being the said Emmeline Emma Blake) and the said James Sheen Dowling then being such Justice of the Peace as aforesaid did then and there issue his said warrants for the apprehension of the said Patrick Mehan Mary Ryan James Mather and Mary Oates respectively and the said Patrick Mehan Mary Ryan James Mather and Mary Oates were by virtue of the said warrants apprehended. And whereas the said Patrick Mehan

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Mehan Mary Ryan James Mather and Mary Oates were and each of them was in obedience to the respective warrants under which they were so apprehended as aforesaid brought before the said James Sheen Dowling then being such Justice of the Peace as aforesaid at Sydney aforesaid and the said James Sheen Dowling having taken the depositions on oath of several witnesses did on or about the twenty-fourth day of June in the year aforesaid respectively commit the said Patrick Mehan Mary Ryan James Mather and Mary Oates to Her Majesty's Gaol at Darlinghurst at Sydney aforesaid to take their respective trials for abduction in the Supreme Court at Sydney aforesaid to be held in the month of July then next And whereas the said Mary Ryan and Mary Oates were afterwards to wit on or about the ninth day of July in the year aforesaid in the Supreme Court of New South Wales at Sydney aforesaid tried before His Honor Roger Therry Esquire one of Her Majesty's Judges of the said Supreme Court of the said Colony and a jury of twelve men and were duly convicted of having unlawfully taken the said Emmeline Emma Blake out of the possession and against the will of the said Thomas Blake her father she the said Emmeline Emma Blake then and there being an unmarried girl under the age of sixteen years to wit of the age of fourteen years and His Honor Roger Therry Esquire thereupon severally sentenced the said Mary Ryan and Mary Oates to be imprisoned in Her Majesty's Gaol at Parramatta in the Colony aforesaid for the term of two years And whereas the said Patrick Mehan was afterwards to wit on or about the twelfth day of July in the year aforesaid in the Supreme Court of New South Wales at Sydney aforesaid tried before His Honor Sir Alfred Stephen Knight Chief Justice of the said Supreme Court and a jury of twelve men and was duly convicted of having unlawfully taken the said Emmeline Emma Blake out of the possession and against the will of the said Thomas Blake her father she the said Emmeline Emma Blake then and there being an unmarried girl under the age of sixteen years to wit of the age of fourteen years and His Honor the Chief Justice thereupon sentenced the said Patrick Mehan to be imprisoned in Her Majesty's Gaol at Parramatta aforesaid for the term of three years And whereas the family of the said Thomas Blake consists of only one son and one daughter and the said Thomas Blake is possessed of considerable real and personal estate the possession of which by the said Thomas Blake was known to the said Patrick Mehan Mary Ryan and Mary Oates before the solemnization of the said alleged marriage And whereas it is expedient that the said alleged marriage should be declared to be null and void Be it therefore enacted by His Excellency the Governor of New South Wales by and with the advice and consent of the Legislative Council thereof as follows—

Alleged marriage
between Emmeline
Emma Blake and
Patrick Mehan
declared void.

1. The alleged marriage between the said Emmeline Emma Blake and the said Patrick Mehan is and shall be deemed and the same is hereby declared to be null and void and so shall be taken and adjudged to be to all intents and purposes whatsoever.