

ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

****

CAP. LXXXV.

An Act for Marriages in *England*.

[17th *August* 1836.]

WHEREAS it is expedient to amend the Law of Marriages in *England*: Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the First Day of *March* in the Year One thousand eight hundred and thirty-seven, notwithstanding any thing in this Act contained, all the Rules prescribed by the Rubrick concerning the solemnizing of Marriages shall continue to be duly observed by every Person in Holy Orders of the Church of *England* who shall solemnize any Marriage in *England*: Provided always, that where by any Law or Canon in force before the passing of this Act it is provided that any Marriage may be solemnized after Publication of Banns, such Marriage may be solemnized in like Manner on Production of the Registrar's Certificate as herein-after provided; provided also, that nothing in this Act contained shall affect the Right of the Archbishop of *Canterbury* and his Successors, and his and their proper Officers, to grant Special Licences to marry at any convenient Time and Place, or the Right of any Surrogate or other Person now having Authority to grant Licences for Marriages.

After 1st of March 1837 all Rules prescribed by the Rubrick to continue to be observed.

Marriages may be solemnized on Production of Registrar's Certificate.

Marriages of Quakers and Jews.

II. And be it enacted, That the Society of Friends commonly called *Quakers*, and also Persons professing the Jewish Religion, may continue to contract and solemnize Marriage according to the Usages of the said Society and of the said Persons respectively; and every such Marriage is hereby declared and confirmed good in Law, provided that the Parties to such Marriage be both of the said Society, or both Persons professing the Jewish Religion respectively, provided also, that Notice to the Registrar shall have been given, and the Registrar's Certificate shall have issued in manner herein-after provided.

Superintendent Registrar of Births to be Superintendent Registrar of Marriages.

III. And be it enacted, That the Superintendent Registrar of Births and Deaths of every Union, Parish, or Place shall be, in right of his Office, Superintendent Registrar of Marriages within such Union, Parish, or Place, and that such Union, Parish, or Place shall be deemed the District of such Superintendent Registrar of Marriages.

Notice of every intended Marriage to be given to the Superintendent Registrar of the District.

IV. And be it enacted, That in every Case of Marriage intended to be solemnized in *England* after the said First Day of *March* according to the Rites of the Church of *England*, (unless by Licence or by Special Licence, or after Publication of Banns,) and in every Case of Marriage intended to be solemnized in *England* after the said First Day of *March* according to the Usages of the Quakers or Jews, or according to any Form authorized by this Act, One of the Parties shall give Notice under his or her Hand, in the Form of Schedule (A.) to this Act annexed, or to the like Effect, to the Superintendent Registrar of the District within which the Parties shall have dwelt for not less than Seven Days then next preceding, or if the Parties dwell in the Districts of different Superintendent Registrars shall give the like Notice to the Superintendent Registrar of each District, and shall state therein the Name and Surname and the Profession or Condition of each of the Parties intending Marriage, the Dwelling Place of each of them, and the Time not being less than Seven Days during which each has dwelt therein, and the Church or other Building in which the Marriage is to be solemnized; provided that if either Party shall have dwelt in the Place stated in the Notice during more than One Calendar Month, it may be stated therein that he or she hath dwelt there One Month and upwards.

Superintendent Registrar to keep Notices in a Book.

V. And be it enacted, That the Superintendent Registrar shall file all such Notices, and keep them with the Records of his Office, and shall also forthwith enter a true Copy of all such Notices fairly into a Book, to be for that Purpose furnished to him by the Registrar General, to be called "The Marriage Notice Book," the Cost of providing which shall be defrayed in like Manner as the Cost of providing Register Books of Births and Deaths; and the Marriage Notice Book shall be open at all reasonable Times without Fee to all Persons desirous of inspecting the same; and for every such Entry the Superintendent Registrar shall be entitled to have a Fee of One Shilling.

Notices to be read at Meetings of Guardians.

VI. And be it enacted, That if such Superintendent Registrar shall be Clerk to the Guardians of any Poor Law Union, or of any Parish or

Place comprising the District for which such Superintendent Registrar shall act, he shall read such Notices as herein-after directed; and if he shall not be such Clerk, then he shall transmit to such Clerk on the Day previous to each weekly Meeting of such Guardians all such Notices of intended Marriage as he shall have received on or since the Day previous to the weekly Meeting immediately preceding the same; and such Clerk shall read such Notices immediately after the Minutes of the Proceedings of such Guardians at their last Meeting shall have been read; and such Notices shall be so read Three several Times in Three successive Weeks at the weekly Meetings of such Guardians, unless in any Case Licence for Marriage shall be sooner granted, and Notice of such Licence being granted shall have been given to such Clerk: Provided also, that if it shall happen that the Board of Guardians of any such Union, Parish, or Place shall not so meet, it shall be sufficient for the Purposes of this Act that such Notices shall be read at any Meeting of such Guardians which shall be held within Twenty-one Days from the Day of such Notice being entered.

After Seven Days, or Twenty-one Days, Certificate of Notice to be given upon Demand.

VII. And be it enacted, That after the Expiration of Seven Days if the Marriage is to be solemnized by Licence, or of Twenty-one Days if the Marriage is to be solemnized without Licence, after the Entry of such Notice, the Superintendent Registrar, upon being requested so to do by or on behalf of the Party by whom the Notice was given, shall issue under his Hand a Certificate in the Form of Schedule (B.) to this Act annexed, provided that no lawful Impediment be shown to the Satisfaction of the Superintendent Registrar why such Certificate should not issue, and provided that the Issue of such Certificate shall not have been sooner forbidden in manner herein-after mentioned by any Person or Persons authorized in that Behalf as herein-after is provided; and every such Certificate shall state the Particulars set forth in the Notice, the Day on which the Notice was entered, and that the full Period of Seven Days or of Twenty-one Days (as the Case may be) has elapsed since the Entry of such Notice, and that the Issue of such Certificate has not been forbidden by any Person or Persons authorized in that Behalf; and for every such Certificate the Superintendent Registrar shall be entitled to have a Fee of One Shilling.

Forms of Certificates to be furnished.

Certificates for Marriage by Licence to be distinguishable from other Certificates.

VIII. And be it enacted, That the Registrar General shall furnish to every Superintendent Registrar a sufficient Number of Forms of Certificates, the Cost of which shall be accounted for by the Superintendent Registrar to the Registrar General; and in order to distinguish the Certificates to be issued for Marriages by Licence from the Certificates to be issued for Marriages without Licence, a Water-mark in the Form of the Word "Licence," in Roman Letters, shall be laid and manufactured in the Substance of the Paper on which the Certificates to be issued for Marriage by Licence shall be written or printed; and every Certificate to be issued for Marriage by Licence shall be printed with Red Ink, and every Certificate to be issued for Marriage without Licence shall be printed with Black Ink, and such other distinctive Marks between the Two Kinds of Certificate shall

shall be used from Time to Time as shall seem fit to the Registrar General.

Issue of Superintendent Registrar's Certificate may be forbidden.

IX. And be it enacted, That any Person authorized in that Behalf may forbid the Issue of the Superintendent Registrar's Certificate by writing at any Time before the Issue of such Certificate the Word "forbidden" opposite to the Entry of the Notice of such intended Marriage in the Marriage Notice Book, and by subscribing thereto his or her Name and Place of Abode, and his or her Character, in respect of either of the Parties, by reason of which he or she is so authorized; and in case the Issue of any such Certificate shall have been so forbidden the Notice and all Proceedings thereupon shall be utterly void.

Consent.

X. And be it enacted, That after the said First Day of *March* the like Consent shall be required to any Marriage in *England* solemnized by Licence as would have been required by Law to Marriages solemnized by Licence immediately before the passing of this Act; and every Person whose Consent to a Marriage by Licence is required by Law is hereby authorized to forbid the Issue of the Superintendent Registrar's Certificate, whether the Marriage is intended to be by Licence or without Licence.

Superintendent Registrar may grant Licences for Marriage.

XI. And be it enacted, That after the said First Day of *March* every Superintendent Registrar shall have Authority to grant Licences for Marriage in any Building registered as herein-after provided within any District under his Superintendence, or in his Office, in the Form of Schedule (C.) to this Act annexed, and for every such Licence shall be entitled to have of the Party requiring the same the Sum of Three Pounds above the Value of the Stamps necessary on granting such Licence; and every Superintendent Registrar shall Four Times in every Year, on such Days as shall be appointed by the Registrar General, make a Return to the Registrar General of every Licence granted by him since his last Return, and of the Particulars stated concerning the Parties: Provided always, that no Superintendent Registrar shall grant any such Licence until he shall have given Security by his Bond in the Sum of One hundred Pounds to the Registrar General for the due and faithful Execution of his Office:

Superintendent Registrar to give Security.

Proviso.

Provided also, that nothing herein contained shall authorize any Superintendent Registrar to grant any Licence for Marriage in any Church or Chapel in which Marriages may be solemnized according to the Rites of the Church of *England*, or in any Church or Chapel belonging to the Church of *England* or licensed for the Celebration of Divine Worship according to the Rites and Ceremonies of the Church of *England*, or any Licence for Marriage in any registered Building which shall not be within his District.

Certificate to be given before the Licence is granted.

XII. And be it enacted, That before any Licence for Marriage shall be granted by any such Superintendent Registrar One of the Parties intending Marriage shall appear personally before such Superintendent Registrar, and in case the Notice of such intended Marriage shall not have been given to such Superintendent Registrar, shall deliver

deliver to him the Certificate of the Superintendent Registrar or Superintendent Registrars to whom such Notice shall have been given, and such Party shall make Oath, or shall make his or her solemn Affirmation or Declaration instead of taking an Oath, that he or she believeth that there is not any Impediment of Kindred or Alliance or other lawful Hindrance to the said Marriage, and that One of the said Parties hath for the Space of Fifteen Days immediately before the Day of the Grant of such Licence had his or her usual Place of Abode within the District within which such Marriage is to be solemnized, and where either of the Parties, not being a Widower or Widow, shall be under the Age of Twenty-one Years, that the Consent of the Person or Persons whose Consent to such Marriage is required by Law has been obtained thereto, or that there is no Person having Authority to give such Consent, as the Case may be; and all such Licences and Declarations shall be respectively liable to the same Stamp Duties as Licences for Marriage granted by the Ordinary of any Diocese, and Affidavits made in order to procure the same.

Caveat may be lodged with Superintendent Registrar against Grant of Licence or Certificate.

XIII. And be it enacted, That any Person, on Payment of Five Shillings, may enter a Caveat with the Superintendent Registrar against the Grant of a Certificate or a Licence for the Marriage of any Person named therein; and if any Caveat be entered with the Superintendent Registrar, such Caveat being duly signed by or on behalf of the Person who enters the same, together with his or her Place of Residence, and the Ground of Objection on which his or her Caveat is founded, no Certificate or Licence shall issue or be granted until the Superintendent Registrar shall have examined into the Matter of the Caveat, and is satisfied that it ought not to obstruct the Grant of the Certificate or Licence for the said Marriage, or until the Caveat be withdrawn by the Party who entered the same; provided that in Cases of Doubt it shall be lawful for the Superintendent Registrar to refer the Matter of any such Caveat to the Registrar General, who shall decide upon the same: Provided likewise, that in case of the Superintendent Registrar refusing the Grant of the Certificate or Licence, the Person applying for the same shall have a Right to appeal to the Registrar General, who shall thereupon either confirm the Refusal or direct the Grant of the Certificate or Licence.

Marriages not to be solemnized until after 21 Days after Entry of Notice, unless by Licence.

XIV. And be it enacted, That after the said First Day of *March* no Marriage after such Notice as aforesaid, unless by virtue of a Licence to be granted by the Superintendent Registrar, shall be solemnized or registered in *England* until after the Expiration of Twenty-one Days after the Day of the Entry of such Notice as aforesaid; and no Marriage shall be solemnized by the Licence of any Superintendent Registrar or registered until after the Expiration of Seven Days after the Day of the Entry of such Notice as aforesaid.

New Notice required after Three Months.

XV. And be it enacted, That whenever a Marriage shall not be had within Three Calendar Months after the Notice shall have been so entered by the Superintendent Registrar, the Notice and Certificate, and any Licence which may have been granted thereupon, and all other Proceedings thereupon, shall be utterly void; and no Person shall pro-

ceed to solemnize the Marriage, nor shall any Registrar register the same, until new Notice shall have been given, and Entry made, and Certificate thereof given, at the Time and in the Manner aforesaid.

Superintendent Registrar's Certificate or Licence to be delivered to the Person by or before whom the Marriage is solemnized.

XVI. And be it enacted, That the Superintendent's Certificate, or, in case the Parties shall have given Notice to the Superintendent of different Districts, the Certificate of each Superintendent, shall be delivered to the Officiating Minister, if the Marriage shall be solemnized according to the Rites of the Church of *England;* and the said Certificate or Licence shall be delivered to the Registering Officer of the People called *Quakers* for the Place where the Marriage is solemnized, if the same shall be solemnized according to the Usages of the said People; or to the Officer of a Synagogue by whom the Marriage is registered, if the same shall be solemnized according to the Usages of Persons professing the Jewish Religion; and in all other Cases shall be delivered to the Registrar present at the Marriage, as herein-after provided.

Superintendent Registrar may appoint Registrars of Marriages.

XVII. And be it enacted, That it shall be lawful for the Superintendent Registrar of any Union, Parish, or Place, subject to the Approval of the Board of Guardians thereof, to appoint by Writing under his Hand such Person or Persons as he may think fit, with such Qualifications as the Registrar General, by any general Rule, may declare to be necessary, to be a Registrar or Registrars for the Purpose of being present at Marriages to be solemnized by virtue of this Act at which the Presence of a Registrar is made necessary, and every such Registrar of Marriages shall hold his Office during the Pleasure of the Superintendent Registrar by whom he was appointed, or of the Registrar General.

Places of Worship may be registered for solemnizing Marriages therein.

XVIII. And be it enacted, That any Proprietor or Trustee of a separate Building, certified according to Law as a Place of Religious Worship, may apply to the Superintendent Registrar of the District, in order that such Building may be registered for solemnizing Marriages therein, and in such Case shall deliver to the Superintendent Registrar a Certificate, signed in Duplicate by Twenty Householders at the least, that such Building has been used by them during One Year at the least as their usual Place of public Religious Worship, and that they are desirous that such Place should be registered as aforesaid, each of which Certificates shall be countersigned by the Proprietor or Trustee by whom the same shall be delivered; and the Superintendent Registrar shall send both Certificates to the Register General, who shall register such Building accordingly in a Book to be kept for that Purpose at the General Register Office; and the Registrar General shall indorse on both Certificates the Date of the Registry, and shall keep one Certificate with the other Records of the General Register Office, and shall return the other Certificate to the Superintendent Registrar, who shall keep the same with the other Records of his Office; and the Superintendent Registrar shall enter the Date of the Registry of such Building in a Book to be furnished to him for that Purpose by the Registrar General, and shall give a Certificate of such Registry under his Hand, on Parchment or Vellum, to the Proprietor or Trustee by whom the Certificates are countersigned,

and shall give public Notice of the Registry thereof by Advertisement in some Newspaper circulating within the County, and in the *London Gazette*; and for every such Entry, Certificate, and Publication the Superintendent Registrar shall receive at the Time of the Delivery to him of the Certificates the Sum of Three Pounds.

On Removal of the same Congregation the new Place of Worship may be immediately registered, instead of the one disused.

XIX. And be it enacted, That if at any Time subsequent to the Registry of any Building for solemnizing Marriages therein it shall be made to appear to the Satisfaction of the Registrar General that such Building has been disused for the public Religious Worship of the Congregation on whose Behalf it was registered as aforesaid, the Registrar General shall cause the Registry thereof to be cancelled; provided that if it shall be proved to the Satisfaction of the Registrar General that the same Congregation use instead thereof some other such Building for the Purpose of public Religious Worship, the Registrar General may substitute and register such new Place of Worship instead of the disused Building, although such new Place of Worship may not have been used for that Purpose during One Year then next preceding; and every Application for cancelling the Registry of any such Building, or for such Substitution and Registry of a substituted Building, shall be made to the Registrar General by or through the Superintendent Registrar of the District; and such Cancel or Substitution, when made, shall be made known by the Registrar General to the Superintendent Registrar, who shall enter the Fact and the Date thereof in the Book provided for the Registry of such Buildings, and shall certify and publish such Cancel or Substitution and Registry in manner herein-before provided in the Case of the original Registry of the disused Building; and for every such Substitution the Superintendent Registrar shall receive, at the Time of the Delivery of the Certificate from the Party requiring the Substitution, the Sum of Three Pounds; and after such Cancel or Substitution shall have been made by the Registrar General it shall not be lawful to solemnize any Marriage in such disused Building, unless the same shall be again registered in the Manner herein-before provided.

Marriages may be solemnized in such registered Places, in the Presence of some Registrar and of Two Witnesses.

XX. And be it enacted, That after the Expiration of the said Period of Twenty-one Days, or of Seven Days if the Marriage is by Licence, Marriages may be solemnized in the registered Building stated as aforesaid in the Notice of such Marriage, between and by the Parties described in the Notice and Certificate, according to such Form and Ceremony as they may see fit to adopt: Provided nevertheless, that every such Marriage shall be solemnized with open Doors, between the Hours of Eight and Twelve in the Forenoon, in the Presence of some Registrar of the District in which such registered Building is situate, and of Two or more credible Witnesses; provided also, that in some Part of the Ceremony, and in the Presence of such Registrar and Witnesses, each of the Parties shall declare,

'I do solemnly declare, That I know not of any lawful Impedi-
'ment why I *A.B.* may not be joined in Matrimony to
'*C.D.*'

And

And each of the Parties shall say to the other,

'I call upon these Persons here present to witness that I *A. B.* 'do take thee *C. D.* to be my lawful wedded Wife [*or* 'Husband.]'

Provided also, that there be no lawful Impediment to the Marriage of such Parties.

Marriages may be celebrated before the Superintendent Registrar.

XXI. And be it enacted, That any Persons who shall object to marry under the Provisions of this Act in any such registered Building may, after due Notice and Certificate issued as aforesaid, contract and solemnize Marriage at the Office and in the Presence of the Superintendent Registrar and some Registrar of the District, and in the Presence of Two Witnesses, with open Doors, and between the Hours aforesaid, making the Declaration and using the Form of Words herein-before provided in the Case of Marriage in any such registered Building.

Marriage Fees to the Registrar.

XXII. And be it enacted, That the Registrar shall be entitled for every Marriage which shall be solemnized under this Act in his Presence to have from the Parties married the Sum of Ten Shillings, if the Marriage shall be by Licence, and otherwise the Sum of Five Shillings.

Registrar to register all Marriages solemnized before him in Books to be sent by the Registrar General.

XXIII. And be it enacted, That the Registrar shall forthwith register every Marriage solemnized in manner aforesaid in his Presence in a Marriage Register Book to be furnished to him for that Purpose from Time to Time by the Registrar General, according to the Form provided for the Registration of Marriages by an Act made in this present Session of Parliament, intituled *An Act for registering Births, Deaths, and Marriages in* England, the Cost of which shall be defrayed in like Manner as the Cost of providing Register Books of Births and Deaths; and every Entry of such Marriage shall be signed by the Person by or before whom the Marriage shall have been solemnized, if there shall be any such Person, and by the Registrar, and also by the Parties married, and attested by Two Witnesses; and every such Entry shall be made in Order from the Beginning to the End of the Book.

Copies of the Marriage RegisterBook to be given quarterly to the Superintendent Registrar.

XXIV. And be it enacted, That in every Year, on such Days as shall from Time to Time be appointed by the Registrar General, within One Calendar Month next after the First Day of *April*, the First Day of *July*, the First Day of *October*, and the First Day of *January* respectively, every Registrar shall make and deliver to the Superintendent Registrar of his District a true Copy, certified by him under his Hand, according to the Form of Schedule (D.) to this Act annexed, of all the Entries of Marriage in the Register Book kept by him since the last Delivery, and the Superintendent Registrar shall verify the same, and if found to be correct shall certify the same under his Hand to be a true Copy; and if there shall have been no Marriage registered since the Delivery of the last certified Copy, the Registrar shall certify the Fact, and such Certificate shall be delivered to the Superintendent Registrar as aforesaid, and countersigned by him;

him; and the Registrar shall keep safely the said Register Book until it shall be filled, and shall then deliver it to the Superintendent Registrar to be kept by him with the Records of his Office.

Proof of Residence of Parties, or Consent, not necessary to establish the Marriage.

XXV. And be it enacted, That after any Marriage shall have been solemnized it shall not be necessary in support of such Marriage to give any Proof of the actual Dwelling of either of the Parties previous to the Marriage within the District wherein such Marriage was solemnized for the Time required by this Act, or of the Consent of any Person whose Consent thereunto is required by Law; nor shall any Evidence be given to prove the contrary in any Suit touching the Validity of such Marriage.

Bishops, with Consent of Patrons, may license Chapels for the Solemnization of Marriages in populous Places.

XXVI. And whereas it is expedient that Provision should be made, under proper Restrictions, for relieving the Inhabitants of populous Districts remote from the Parish Church, or from any Chapel wherein Marriages may be lawfully celebrated according to the Rites and Ceremonies of the Church of *England*, from the Inconvenience to which they may be thereby subjected in the Solemnization of their Marriages; be it therefore enacted, That, with the Consent under the Hand and Seal of the Patron and Incumbent respectively of the Church of the Parish or District in which may be situated any public Chapel with or without a Chapelry thereunto annexed, or any Chapel duly licensed for the Celebration of Divine Service according to the Rites and Ceremonies of the Church of *England*, or any Chapel the Minister whereof is duly licensed to officiate therein according to the Rites and Ceremonies of the Church of *England*, or without such Consent after Two Calendar Months Notice in Writing given by the Registrar of the Diocese to such Patron and Incumbent respectively, the Bishop of the Diocese may, if he shall think it necessary for the due Accommodation and Convenience of the Inhabitants, authorize by a Licence under his Hand and Seal the Solemnization of Marriages in any such Chapel for Persons residing within a District the Limits whereof shall be specified in the Bishop's Licence, and under such Provisions as to the Amount, Appropriation, or Apportionment of the Dues, and as to other Particulars, as to the said Bishop may seem fit, and as may be specified in the said Licence; provided that it shall be lawful for any Patron or Incumbent who shall refuse or withhold Consent to the Grant of any such Licence to deliver to the Bishop, under his or her Hand and Seal, a Statement of the Reasons for which such Consent shall have been so refused or withholden; and no such Licence shall be granted by any Bishop until he shall have inquired into the Matter of such Reasons; and every Instrument of Consent of the Patron and Incumbent, or, if such Consent be refused or withholden, a Copy of the Notice under the Hand of the Registrar, and every Statement of Reasons alleged as aforesaid by the Patron or Incumbent, with the Bishop's Adjudication thereupon under his Hand and Seal, shall be registered in the Registry of the Diocese; and thenceforth and until the said Licence be revoked Marriages solemnized in such Chapel shall be as valid to all Intents and Purposes as if the same had been solemnized in the Parish Church, or in any Chapel where Marriages might heretofore have been legally solemnized.

Appropriation of Fees on Marriages performed in such Chapels.

XXVII. And be it enacted, That all Fees, Dues, and other Emoluments on account of the Solemnization of Marriages which belong to the Incumbent or Clerk respectively of any Church or Chapel in any Parish or District within which the Solemnization of Marriages shall be authorized as aforesaid shall respectively be received, until the Avoidance of such Church or Chapel next after the passing of this Act, for and on account of such Incumbent, and, until the Vacancy in the Office of Clerk next after the passing of this Act, for and on account of such Clerk, and be paid over to them, except such Portion of the Fees, Dues, or other Emoluments as the said Bishop of the Diocese, with the Consent of the said Incumbent and Clerk respectively, shall in such aforesaid Licence assign to the Minister and Clerk respectively of the Chapel in which the Solemnization of Marriages shall be authorized as aforesaid; and that it shall be lawful for the said Bishop in and by such Licence, without any such Consent, to declare that from and after such next Avoidance or Vacancy respectively the Whole or such Part of the Fees, Dues, and other Emoluments on account of the Solemnization of Marriages in such last-mentioned Chapel as shall be specified in such Licence, shall be receivable, and the same shall thenceforth be received by or for the Minister and Clerk of such Chapel respectively.

Patron or Incumbent may appeal to the Archbishop against such Licences.

XXVIII. And be it enacted, That when the said Bishop shall authorize the Solemnization of Marriages in any such Chapel as aforesaid, without the Consent under the Hand and Seal of the Patron and Incumbent respectively, it shall be lawful for them or either of them to appeal within One Calendar Month to the Archbishop of the Province, who shall hear the same in a summary Manner, and shall make such Order confirming, revoking, or varying the Licence so given, as to him shall seem meet and expedient, which Order shall be registered in the Registry of the Diocese, and shall be conclusive and binding on all Parties whatsoever.

Notice of such Licences to be affixed in Chapels.

XXIX. And be it enacted, That there shall be placed in some conspicuous Part in the Interior of every Chapel in respect of which such Licence shall be given as aforesaid a Notice in the Words following: "Marriages may be solemnized in this Chapel".

Marriages performed in such Chapels to be under the same Regulations as those performed in Parish Churches.

XXX. And be it enacted, That all Provisions which shall from Time to Time be in force relative to Marriages, and to providing, keeping, and transmitting Register Books and Copies of Registers of Marriages solemnized in any Parish Church, shall extend to any Chapel in which the Solemnization of Marriages shall be authorized as aforesaid, in the same Manner as if the same were a Parish Church, and every thing required by Law to be done relating thereto by the Rector, Vicar, Curate, or Churchwardens respectively of any Parish Church shall be done by the Officiating Minister, Chapelwarden, or other Person exercising analogous Duties in such Chapel respectively.

Option to Parties to be married at Parish Church.

XXXI. Provided always, and be it enacted, That notwithstanding any such Licence as aforesaid to solemnize Marriages in any such Chapel, the Parties may, if they think fit, have their Marriage solemnized

nized in the Parish Church, or in any Chapel in which heretofore the Marriage of such Parties or either of them might have been legally solemnized.

Bishop, with Consent of Archbishop, may revoke such Licences;

XXXII. And be it enacted, That any such Licence or Order may at any Time be revoked by Writing under the Hand and Seal of the Bishop of the Diocese, with the Consent in Writing of the Archbishop of the Province; and such Revocation and Consent shall be registered in the Registry of the Diocese, the Registrar whereof shall notify the same in Writing to the Minister officiating in the Chapel, and shall also give public Notice thereof by Advertisement in some Newspaper circulating within the County and in the *London Gazette*, and thenceforth the Authority to solemnize Marriages in such Chapel shall cease and determine.

In which Case Registers to be sent to the Incumbent of the Parish Church.

XXXIII. And be it enacted, That in case of the Revocation of the Licence to solemnize Marriages in any such Chapel all Registers of Marriages solemnized therein under such Licence which shall be in the Custody or Possession of the Minister of such Chapel at the Time of such Revocation shall forthwith be transmitted to the Incumbent or Officiating Minister of the Parish Church, and shall thenceforth be preserved, and in all other respects dealt with in the same Manner, and be of the same Force and Validity, to all Intents and Purposes, as if they had been originally made and deposited with such Incumbent or Officiating Minister; and that such Incumbent or Minister shall, when he next transmits to the Superintendent Registrar Copies of the Registers of Marriages solemnized in such Parish Church, also therewith transmit Copies of all such Entries as shall have been made in such first-mentioned Registers subsequent to the Date of the last Entry a Copy whereof was transmitted to the Superintendent Registrar, and shall also transmit to him One Copy of every Register Book so transmitted to him of which no Copy shall have been already transmitted to the Superintendent Registrar, having first signed his Name at the Foot of the last Entry therein.

Registrars of Dioceses to send to the Register Office, yearly, Lists of licensed Chapels within their Districts.

List of all Chapels and Buildings registered to be printed.

XXXIV. And be it enacted, That the Registrar of every Diocese shall within Fifteen Days after the said First Day of *March*, and also within Fifteen Days after the First Day of *January* in every succeeding Year, make out and send through the Post Office, directed to the Registrar General of Births, Deaths, and Marriages, at his Office, a List of all Chapels belonging to the Church of *England* within that Diocese wherein Marriages may lawfully be solemnized according to the Rites and Ceremonies of the Church of *England*, and shall distinguish in such List which have a Parish, Chapelry, or other recognized Ecclesiastical Division annexed to them, and which are Chapels licensed by the Bishop under this Act, and shall state therein the District for which each of such Chapels is licensed according to the Description thereof in the Licence; and the Registrar General shall in every Year make out and cause to be printed a List of all such Chapels, and also of all Places of Public Worship registered under the Provisions of this Act, and shall state in such List the County and Registrar's District within which each Chapel or registered Building is situated, and shall add also the Names and

and Places of Abode of the Registrars and Deputy Registrars of each District, and of the Superintendent Registrars; and a Copy of such List shall be sent to every Registrar and Superintendent Registrar.

Marriages under this Act cognizable.

XXXV. And be it enacted, That every Marriage solemnized under this Act shall be good and cognizable in like Manner as Marriages before the passing of this Act according to the Rites of the Church of *England*.

Registrar may ask certain Particulars of Parties.

XXXVI. And be it enacted, That it shall be lawful for the Registrar before whom any Marriage is solemnized according to the Provisions of this Act to ask of the Parties to be married the several Particulars required to be registered touching such Marriage.

Persons vexatiously entering Caveat liable to Costs and Damages.

XXXVII. And be it enacted, That every Person who shall enter a Caveat with the Superintendent Registrar against the Grant of any Licence or Issue of any Certificate on Grounds which the Registrar General shall declare to be frivolous, and that they ought not to obstruct the Grant of the Licence, shall be liable for the Costs of the Proceedings, and for Damages to be recovered in a Special Action upon the Case by the Party against whose Marriage such Caveat shall have been entered.

Persons making false Declarations, &c. guilty of Perjury.

XXXVIII. And be it enacted, That every Person who shall knowingly and wilfully make any false Declaration or sign any false Notice or Certificate required by this Act, for the Purpose of procuring any Marriage, and every Person who shall forbid the Issue of any Superintendent Registrar's Certificate, by falsely representing himself or herself to be a Person whose Consent to such Marriage is required by Law, knowing such Representation to be false, shall suffer the Penalties of Perjury.

Persons unduly solemnizing Marriage guilty of Felony.

XXXIX. And be it enacted, That every Person who after the said First Day of *March* shall knowingly and wilfully solemnize any Marriage in *England*, except by Special Licence, in any other Place than a Church or Chapel in which Marriages may be solemnized according to the Rites of the Church of *England*, or than the registered Building or Office specified in the Notice and Certificate as aforesaid, shall be guilty of Felony (except, in the Case of a Marriage between Two of the Society of Friends commonly called *Quakers*, according to the Usages of the said Society, or between Two Persons professing the Jewish Religion, according to the Usages of the Jews); and every Person who in any such registered Building or Office shall knowingly and wilfully solemnize any Marriage in the Absence of a Registrar of the District in which such registered Building or Office is situated shall be guilty of Felony; and every Person who shall knowingly and wilfully solemnize any Marriage in *England* after the said First Day of *March* (except by Licence) within Twenty-one Days after the Entry of the Notice to the Superintendent Registrar as aforesaid, or if the Marriage is by Licence within Seven Days after such Entry, or after Three Calendar Months after such Entry, shall be guilty of Felony.

XL. And

Superintendent Registrars unduly issuing Certificates guilty of Felony.

XL. And be it enacted, That every Superintendent Registrar who shall knowingly and wilfully issue any Certificate for Marriage after the Expiration of Three Calendar Months after the Notice shall have been entered by him as aforesaid, or any Certificate for Marriage by Licence before the Expiration of Seven Days after the Entry of the Notice, or any Certificate for Marriage without Licence before the Expiration of Twenty-one Days after the Entry of the Notice, or any Certificate the Issue of which shall have been forbidden as aforesaid by any Person authorized to forbid the Issue of the Registrar's Certificate, or who shall knowingly and wilfully register any Marriage herein declared to be null and void, and every Registrar who shall knowingly and wilfully issue any Licence for Marriage after the Expiration of Three Calendar Months after the Notice shall have been entered by the Registrar as aforesaid, or who shall knowingly and wilfully solemnize in his Office any Marriage herein declared to be null and void, shall be guilty of Felony.

Limitation of Prosecution.

XLI. And be it enacted, That every Prosecution under this Act shall be commenced within the Space of Three Years after the Offence committed.

Marriages void if unduly solemnized with the Knowledge of both Parties.

XLII. And be it enacted, That if any Persons shall knowingly and wilfully intermarry after the said First Day of *March* under the Provisions of this Act in any Place other than the Church, Chapel, registered Building, or Office or other Place specified in the Notice and Certificate as aforesaid, or without due Notice to the Superintendent Registrar, or without Certificate of Notice duly issued, or without Licence, in case a Licence is necessary under this Act, or in the Absence of a Registrar or Superintendent Registrar where the Presence of a Registrar or Superintendent Registrar is necessary under this Act, the Marriage of such Persons, except in any Case herein-after excepted, shall be null and void: Provided always, that nothing herein contained shall extend to annul any Marriage legally solemnized according to the Provisions of an Act passed in the Fourth Year of His late Majesty *George* the Fourth, intituled *An Act for amending the Laws respecting the Solemnization of Marriages in* England. 4 G. 4. c. 76.

In Cases of fraudulent Marriages, the guilty Party to forfeit all Property accruing from the Marriage, as in 4 G. 4. c. 76.

XLIII. And be it enacted, That if any valid Marriage shall be had under the Provisions of this Act by means of any wilfully false Notice, Certificate, or Declaration made by either Party to such Marriage, as to any Matter to which a Notice, Certificate, or Declaration is herein required, it shall be lawful for His Majesty's Attorney General or Solicitor General to sue for a Forfeiture of all Estate and Interest in any Property accruing to the offending Party by such Marriage; and the Proceedings thereupon and Consequences thereof shall be the same as are provided in the like Case with regard to Marriages solemnized by Licence before the passing of this Act according to the Rites of the Church of *England*.

Provisions of Registry Act extended to this Act.

XLIV. And be it enacted, That this Act shall be taken to be Part of the said Act for registering Births, Deaths, and Marriages, as fully and effectually as if incorporated therewith, and that all the Provisions

and Penalties of the said Act relating to any Registrar or Register of Marriages, or certified Copies thereof, shall be taken to extend to the Registrars and Registers of Marriages to be solemnized under this Act, and to the certified Copies thereof, so far as the same are applicable thereunto.

Extent of Act.

XLV. And be it enacted, That this Act shall extend only to *England*, and shall not extend to the Marriage of any of the Royal Family.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

NOTICE OF MARRIAGE.

To the Registrar of the District of *Hendon* in the County of *Middlesex*.

I HEREBY give you Notice, That a Marriage is intended to be had, within Three Calendar Months from the Date hereof, between me and the other Party herein named and described; (that is to say,)

Name.	Condition.	Rank or Profession.	Age.	Dwelling Place.	Length of Residence.	Church or Building in which Marriage is to be solemnized.	District and County in which the other Party resides when the Parties dwell in different Districts.
James Smith	*Widower*	*Carpenter*	*Of full Age*	*16, High Street.*	*23 Days*	*Sion Chapel West Street, Hendon, Middlesex.*	*Tonbridge, Kent.*
Martha Green	*Spinster*	- -	*Minor*	*Grove Farm.*	*More than a Month.*		

Witness my Hand this *Sixth* Day of *May* 1837.

(Signed) *James Smith.*

[The *Italics* in this Schedule to be filled up as the Case may be.]

SCHEDULE (B.)

No. 14.

Registrar's Certificate.

I *John Cox*, Registrar of the District of *Stepney* in the County of *Middlesex*, do hereby certify, That on the *Sixth* Day of *May* Notice was duly entered in the Marriage Notice Book of the said District of the Marriage intended between the Parties therein named and described, delivered under the Hand of *James Smith*, One of the Parties; (that is to say,)

Name.	Condition.	Rank or Condition.	Age.	Dwelling Place.	Length of Residence.	Church or Building in which Marriage is to be solemnized.	District and County in which the other Party dwells where the Parties dwell in different Districts.
James Smith	*Widower*	*Carpenter*	*Of full Age*	*16, High Street.*	*23 Days*	*Sion Chapel, West Street, Stepney, Middlesex.*	*Tonbridge, Kent.*
Martha Green	*Spinster*	- -	*Minor* -	*Grove Farm.*	*More than a Month.*		

Date of Notice entered *6th May* 1837.
Date of Certificate given *27th May* 1837.

} The Issue of this Certificate has not been forbidden by any Person authorized to forbid the Issue thereof.

Witness my Hand this *Twenty-seventh* Day of *May One thousand eight hundred and thirty-seven.*

(Signed) *John Cox*,
Registrar.

This Certificate will be void unless the Marriage is solemnized on or before the *Sixth* Day of *August* 1837.

[The *Italics* in this Schedule to be filled up as the Case may be.]

SCHEDULE (C.)

Licence of Marriage.

A.B., Superintendent Registrar of to *C.D.* of and *E.F.* of sendeth greeting.

Whereas ye are minded, as it is said, to enter into a Contract of Marriage under the Provisions of an Act made in the Seventh Year of the Reign of His Majesty King William the Fourth, intituled [*here insert the Title of this Act*], and are desirous that the same may be speedily and publicly solemnized: And whereas you *C.D.* [*or* you *E.F.*]

E.F.] have made and subscribed a Declaration under your Hand that you believe there is no Impediment of Kindred or Alliance or other lawful Hindrance to the said Marriage, and that you *C.D.* [*or E.F.*] have [*or* has] had your [*or* his *or* her] usual Place of Abode for the Space of Fifteen Days last past within the District of [ ], and that you *C.D.* [*or E.F.*], not being a Widower [*or* Widow], are [*or* is] under the Age of Twenty-one Years, and that the Consent of *G.H.*, 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]: I do hereby grant unto you full Licence, according to the Authority in that Behalf given to me by the said Act, to proceed to solemnize such Marriage, and to the Registrar of the District of [*here insert the Name of the District in which the Marriage is to be solemnized*] to register such Marriage according to Law; provided that the said Marriage be publicly solemnized in the Presence of the said Registrar and of Two Witnesses within Three Calendar Months from the [*here insert the Date of the Entry in the Notice Book of the Superintendent Registrar*], in the [*here describe the Building in which the Marriage is to be solemnized*], between the Hours of Eight and Twelve in the Forenoon. Given under my Hand this Day of One thousand eight hundred and

(Signed) *A.B.*
Superintendent Registrar.

SCHEDULE (D.)

I *John Cox*, Registrar of the District of *Stepney* in the County of *Middlesex*, do hereby certify, That this is a true Copy of the Entries of Marriage registered in the said District from the Entry of the Marriage of *John Wood* and *Ann Simpson*, Number *One*, to the Entry of the Marriage of *James Smith* and *Martha Green*, Number *Fourteen*. Witness my Hand this *First* Day of *July* 1837.

(Signed) *John Cox*,
Registrar.

[The *Italics* in this Schedule to be filled up as the Case may be.]

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