ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XVIII.

An Act to render valid Marriages solemnized in certain Churches and Chapels.

[29th *May* 1830.]

WHEREAS, by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for amending the Laws respecting the Solemnization of Marriages in* England, it is provided, that if the Church of any Parish, or Chapel of any Chapelry, wherein Marriages have been usually solemnized, be demolished in order to be rebuilt, or be under repair, and on such Account be disused for Public Service, it shall be lawful for the Banns to be proclaimed in a Church or Chapel of any adjoining Parish or Chapelry in which Banns are usually proclaimed, or in any Place within the Limits of the Parish or Chapelry which shall be licensed by the Bishop of the Diocese for the Performance of Divine Service during the Repair or rebuilding of the Church as aforesaid: And whereas by an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to amend an Act passed in the last Session of Parliament, intituled 'An Act for amending the Laws respecting the Solemnization of 'Marriages in* England,' it was enacted, that all Marriages which had been theretofore solemnized, or which should be thereafter solemnized, in any Place within the Limits of such Parish or Chapelry so licensed as aforesaid for the Performance of Divine Service during the Repair or rebuilding of the Church of any Parish, or Chapel of any Chapelry, wherein Marriages had been usually

4 G. 4. c. 76.

5 G. 4. c. 32.

solemnized,

solemnized, or if no such Place should be so licensed, then in a Church or Chapel of any adjoining Parish or Chapelry in which Banns were usually proclaimed, whether by Banns lawfully published in such Church or Chapel, or by Licence lawfully granted, should not have their Validity questioned on account of their having been so solemnized, nor should the Ministers who had so solemnized the same be liable to any Ecclesiastical Censure or to any other Proceeding whatsoever: And whereas the Ministers of certain Parish Churches and Chapels of Chapelries have, during the Repair or rebuilding of such Churches or Chapels, published the Banns of Marriages in some Places within the Limits of their Parishes or Chapelries respectively wherein Divine Service has been usually performed during the Time of such Repair or rebuilding, but have solemnized the Marriages themselves in the Churches or Chapels of the same or of some adjoining Parishes or Chapelries: And whereas other Clergymen, during the Time of such Repair or rebuilding, have published Banns of Marriage and solemnized Marriages in Places duly licensed for the Performance of Divine Worship, according to the Forms of the United Church of *England* and *Ireland*, within their respective Parishes or Chapelries, but not licensed specially for such Performance during such Time as aforesaid: And whereas it is expedient that the Marriages so solemnized should not on that Account have their Validity questioned; be it therefore 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 all Marriages, the Banns whereof have been published in any Place used for the Performance of Divine Service within the Limits of any Parish or Chapelry during the Repairs or rebuilding of the Church or Chapel thereof, which Marriages have been solemnized either in the said Place so used or in the Church or Chapel of the same or of some adjoining Parish or Chapelry during such Repair or rebuilding, shall not have their Validity questioned on account of having been so solemnized.

The Validity of Marriages solemnized under the Circumstances herein mentioned, not to be questioned.

II. And be it further enacted, That in every Case in which the Church of any Parish or Place, in which Banns of Marriage may be published and Marriages solemnized, shall be pulled down, or be rebuilding or under Repair, it shall be lawful for the Bishop of the Diocese to order and direct that Banns of Marriage may be published and Marriages solemnized in any consecrated Chapel of such Parish or Place which he shall by Order in Writing direct, until the Church shall again be opened for the Performance of Divine Service; and during all such Period the said consecrated Chapel shall, for all Purposes relating to the Publication of Banns of Marriage and to the Solemnization of Marriages, be deemed and taken to be the Church of the Parish, any thing in any Act or Acts to the contrary notwithstanding; and the Fees in respect thereof shall be applied, during such Period, as the Bishop of the Diocese shall, with the Consent of the Incumbent, order and direct.

During the Time that any Church, &c. is under Repair, the Bishop may direct Banns to be published in any consecrated Chapel of the Parish.

III. And whereas Doubts have arisen touching the Validity of Marriages solemnized in Churches which have been made and

For removing Doubts as to Marriages

constituted the Churches of distinct Parishes, or District Parishes, under the Provisions of an Act passed in the Fifty-eighth Year of His late Majesty, intituled *An Act for building and promoting the building of additional Churches in populous Parishes;* and also of an Act passed in the Fifty-ninth Year of His late Majesty, intituled *An Act to amend and render more effectual an Act passed in the last Session of Parliament, for building and promoting the building of additional Churches in populous Parishes:* And whereas it is expedient that such Doubts should be removed; therefore be it enacted, That all Marriages which have already been solemnized, or may hereafter be solemnized, in any Church which shall have been made and constituted the Church of a distinct Parish, or of a District Parish, as aforesaid, after Consecration thereof and Assignment of a District thereto, shall be as good and valid in Law as if such Marriages had been solemnized in any Parish Church wherein Banns had been usually published before or at the Time of passing an Act made in the Twenty-sixth Year of King *George* the Second, intituled *An Act for the better preventing of clandestine Marriages.*

solemnized in Churches made and constituted under Acts 58 G.3. c. 45. and 59 G.3. c. 134.

26 G.2. c. 33.

IV. And whereas, by Error, Banns have been published, and divers Marriages have been solemnized, in Chapels duly consecrated, but in which Chapels Banns cannot be legally published, nor Marriages by Law be solemnized; and it is expedient to remove all Doubts arising from the Circumstances aforesaid touching the due Publication of such Banns and the Validity of such Marriages; therefore be it enacted, That all Banns already published, and all Marriages already solemnized, in such Chapels as aforesaid, shall not hereafter be questioned on account of the said Banns having been published, or the said Marriages solemnized, in a Chapel not legally authorized for the Publication of Banns and the Solemnization of Marriages: Provided always, that nothing herein contained shall extend or be construed to extend to authorize the Publication of Banns or the Solemnization of Marriages in such Chapels hereafter.

The Validity of Marriages solemnized in certain Chapels not to be questioned;

V. And whereas divers Marriages have taken place in Chapels supposed to be consecrated, the Consecration of which Chapels, however, cannot be proved, and may be doubted: And whereas it is expedient that all Apprehensions touching the Validity of such Marriages, on this Account, should entirely be removed; be it therefore enacted, That the Validity of such Marriages shall not hereafter be questioned on account of the Uncertainty respecting the Consecration of such Chapels.

nor Marriages solemnized in Chapels, the Consecration of which may be doubted.

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