ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

****

C A P. LXXXIV.

An Act to remove Doubts as to the Validity of certain Marriages had and ſolemnized within the *Britiſh* Territories in *India*. [5th *June* 1818.]

WHEREAS Doubts have ariſen concerning the Validity of Marriages which have been had and ſolemnized within the *Britiſh* Territories in *India*, by Ordained Miniſters of the Church of *Scotland* as by Law eſtabliſhed: And whereas it is expedient that ſuch Doubts ſhould be quieted, and that the Law reſpecting ſuch Marriages ſhould be declared for the future; be it declared and enacted; and it is hereby declared and 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 heretofore had and ſolemnized, or which ſhall be had and ſolemnized within the ſaid Territories in *India*, before the Thirty-firſt Day of *December* now next enſuing, by Ordained Miniſters of the Church of *Scotland* as by Law eſtabliſhed, ſhall be, and ſhall be adjudged, eſteemed, and taken to have been, and to be, of the ſame and no other Force and Effect as if ſuch Marriages had been had and ſolemnized by Clergymen of the Church of *England*, according to the Rites and Ceremonies of the Church of *England*; and

Marriages ſolemnized in India before 31ſt Dec. by Miniſters of the Church of Scotland to be of the ſame Force as if ſolemnized by Clergymen of the Church of England;

and after that Period, Marriages between Perſons of the Church of Scotland by Miniſters of that Communion, and appointed by the Eaſt India Company, to be valid.

and that from and after the ſaid Thirty-firſt Day of *December* now next enſuing, all Marriages between Perſons, both or one of ſuch Perſons being Members or Member of or holding Communion with the Church of *Scotland*, and making a Declaration to the Effect herein-after mentioned, which Marriages ſhall be had and ſolemnized within the *Britiſh* Territories in *India*, by Ordained Miniſters of the Church of *Scotland* as by Law eſtabliſhed, and appointed by the United Company of Merchants of *England* trading to the *Eaſt Indies* to officiate as Chaplains within the ſaid Territories, ſhall be, and ſhall be adjudged, eſteemed, and taken to be, of the ſame and no other Force and Effect as if ſuch Marriages were had and ſolemnized by Clergymen of the Church of *England*, according to the Rites and Ceremonies of the Church of *England*: Provided always, that from and after the ſaid Thirty-firſt Day of *December*, no ſuch Marriage as aforeſaid ſhall be had and ſolemnized, till both or one of ſuch Perſons, as the Caſe may be, ſhall have ſigned a Declaration in Writing, in Duplicate, ſtating that they, or he or ſhe, as the Caſe may be, are or is Members or Member of or holding Communion with the Church of *Scotland* by Law eſtabliſhed.

Declaration to be made by Parties.

Miniſter ſhall certify the Marriage; and ſhall deliver a Duplicate of the Certificate to the Party, and transmit another to the Secretary of the Preſidency.

II. And be it further enacted, That the Miniſter by whom ſuch Marriage ſhall be ſolemnized, ſhall, immediately upon the Solemnization thereof, certify ſuch Marriage by a Writing under his Hand in Duplicate, ſubjoined to or indorſed upon the Declaration in Duplicate hereinbefore mentioned, ſpecifying in ſuch Certificate the Names and Deſcriptions of the Parties between whom and of the Witneſſes in whoſe Preſence the ſaid Marriage has been had and ſolemnized, and the Time and Place of the Celebration of the ſame; and ſuch Certificate in Duplicate ſhall be alſo ſigned forthwith by the Parties entering into ſuch Marriage, and by the Witneſſes to the ſame; and the Miniſter officiating ſhall deliver One Duplicate of ſuch Declaration and Certificate to the Perſons married, or to One of them, and ſhall tranſmit the other Duplicate of ſuch Declaration and Certificate to the Chief Secretary of Government at the Preſidency within which ſuch Marriage ſhall have been had and ſolemnized.

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