

No. VII.

An Act to remove Doubts as to the Validity of certain Marriages had and solemnized within the Colony of New South Wales by Ministers of the Wesleyan Methodist Society and to regulate the Registration of certain Marriages Baptisms and Burials. [5th September, 1839.]

WESLEYAN
MARRIAGES
CONFIRMATION.

WHEREAS doubts may hereafter arise concerning the validity of Preamble.

marriages which have been had and solemnized within the Colony of New South Wales by Ministers of the Wesleyan Methodist Society 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 therefore declared and enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council thereof That all marriages before the passing and publication of this Act had and solemnized by ordained or officiating Ministers of the Wesleyan Methodist Society shall be and shall be adjudged esteemed and taken to have been of the same force and effect in law as and no other than if such marriages had been had and solemnized by Clergymen of the Church of England Presbyterian Ministers or Roman Catholic Priests according to the rites and ceremonies of their respective churches.

Marriages solemnized by Wesleyan Ministers before the passing of this Act to be of full force.

2. And be it enacted That from and after the passing and publication of this Act all marriages between persons both or one of such persons being members or a member of or holding communion with the Wesleyan Methodist Society and making a declaration to the effect hereinafter mentioned which marriages shall be had and solemnized within the said Colony by an ordained Minister of the Wesleyan Methodist Society duly appointed by the British Conference of the Wesleyan Methodists or by the District Committee of Wesleyan Methodist Ministers of the Colony of New South Wales shall be and shall be adjudged esteemed and taken to be of the same force and effect in law as and no other than if such marriage were had and solemnized by Clergymen of the Church of England Presbyterian Ministers or Roman Catholic Priests according to the rites and ceremonies of their respective churches Provided always that from and after the passing of this Act no such marriage as last aforesaid shall be had and solemnized until 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 a member of or hold communion with the Wesleyan Methodist Society according to the form hereunto annexed and marked with the letter A And that the Minister by whom any such marriage as aforesaid shall be solemnized shall immediately upon the solemnization thereof certify such marriage by a writing under his hand in duplicate subjoined to or endorsed 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 according to the form hereunto annexed and marked with the letter B and such certificate in duplicate shall be also signed forthwith by the parties entering

Persons being members of the Wesleyan Methodist Society to make declaration thereof whereupon marriages shall be of full force.

Ministers solemnizing such marriages to give certificate thereof in duplicate.

Wesleyan Marriages Confirmation.

One copy of certificate to be transmitted to Registrar of Supreme Court.

Certificates of baptisms and burials to be transmitted to the Registrar of Supreme Court.

Such certificates to be safely kept by Registrar and alphabetical lists of them to be made.

entering into such marriages and by the witnesses to the same according to the said last mentioned form 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 Registrar of the Supreme Court.

3. And be it enacted That a certificate of every baptism or burial solemnized or performed by any ordained Minister of the Wesleyan Methodist Society shall be transmitted by the Minister officiating with all convenient speed to the Registrar of the Supreme Court.

4. And be it enacted That as often as any such duplicates and certificates of marriages and certificates of baptisms and burials are transmitted to the Registrar of the Supreme Court as hereinbefore directed the same shall be by him safely kept from damage and be so arranged as to be resorted to when required and one general alphabetical list shall be made in books to be kept for such purpose of the names of all persons and places therein respectively which with the said duplicates and certificates as aforesaid shall be open to public search at all reasonable times on payment of one shilling for each name searched for by the party or parties searching who shall state at the time of such search the name or names of the person or persons sought for and certified copies of such duplicates and certificates respectively shall be received and taken in all Courts of Law and Equity within the said Colony as evidence of the marriage baptism or burial of the parties respectively named therein and for every such copy aforesaid a sum of one shilling and no more shall be paid by the party requiring the same.

SCHEDULES REFERRED TO.

A.*Form of Declaration.*

I A.B. (or we as the case may require) do hereby declare that I am (or we are) a member (or members) of or hold communion with the Wesleyan Methodist Society.

(Signed) A. B.
C. D.

B.*Form of Certificate.*

I E. F. Minister of the Wesleyan Methodist Society do hereby certify that A. B. of and C. D. of [here describe the residence of the parties married] were joined in wedlock by me on the day of 18 at in the presence of [here describe the names and residences of the respective witnesses to the marriage ceremony who intend to subscribe the certificate].

(Signed) E. F.

Witness—G. H.
J. K.