

1717.

MAY.

CHARLES LORD BALTIMORE.

C H A P.
XV.

intent to marry, at some church or chapel of ease belonging to the parish wherein the woman, so intended to be married, shall be resident, and in case there be no minister, curate or reader in such parish, an advertisement or public notification of such intended marriage shall be set up at the court-house door of the county where such marriage shall be intended, and there to remain for the space of three weeks at the least, of which advertisement put up as aforesaid, the clerk of the county court where such advertisement shall be put up shall make a certificate under his hand, and the seal of the county; and that it shall and may be lawful after such publication, and certificate thereof had, for any minister, duly qualified, to join together in matrimony any such persons so published, according to the liturgy of the church of England, saving to the minister of the respective parishes, where such publication shall be made, their just dues for such marriages.

Penalty on
marrying with-
out, &c.

II. AND, If any person shall presume to contract marriage without such publication and certificate thereof had as aforesaid, or without particular licence from the governor for the time being do privately contract marriage, every man so contracted or married shall be liable to a fine of five thousand pounds of tobacco, and every such minister joining in marriage any persons without publication or licence, or any ways infringing this act, shall be liable to a fine of five thousand pounds of tobacco, one half of the said fines to the lord proprietary, his heirs and successors, for the support of government of this province, the other half to the informer, to be recovered in any court of record by action of debt, bill, plaint or information, wherein no essoin, protection, or wager of law to be allowed.

Or in a neigh-
bouring colo-
ny, &c.

III. AND, for the more effectually avoiding secret and clandestine marriages, BE IT ENACTED, by the authority, advice and consent aforesaid, That any person or persons resident in this province, who shall get their marriage solemnized in any the neighbouring colonies, during such their residence in this province, unless where the woman so married shall be resident of that place where such marriage shall be solemnized, the man so married shall be liable to the fine of five thousand pounds of tobacco, to be recovered as aforesaid, to the use aforesaid.

Minister's fee.

IV. AND, for ascertaining to the minister a fee for marriages, in other cases than the act for establishment of religious worship provides for, BE IT ENACTED, That in case any persons married by licence, and that shall be married in the parish church or chapel of ease, or come to such minister's house to be married, there shall be paid as a fee, by the persons to be married, for such marriage, the sum of ten shillings, and no more; and in case of publication of bands, the persons so to be married shall come to the minister's dwelling-house to be married, there shall be paid to the minister as a fee for such marriage, one hundred pounds of tobacco, or six shillings and eight-pence current money, ready pay, and no more; AND IT IS HEREBY DECLARED, That whenever any fee is allowed for marrying persons whose bands are published, such fee shall be taken as a full fee for the publication of the bands, as well as for the solemnization of such marriage.

Provido.

V. PROVIDED, That this act, or any thing therein contained, shall not extend, or be construed to extend, to any persons of persuasions in religion different from that of the church of England, but that all such persons, and the manner of their proceedings in marriage, may entirely remain unaltered by this act, and in the same circumstance as if this act had never been made, any thing therein before to the contrary notwithstanding.

See February 1777, ch. 12.

