

# MAINE STATE LEGISLATURE

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# **PUBLIC ACTS**

OF THE

## **STATE OF MAINE,**

PASSED BY THE

### **EIGHTH LEGISLATURE,**

AT ITS

**SESSION HELD IN JANUARY, 1828.**

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Published agreeably to the Resolve of the 20th June, 1820.

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**PORTLAND.**

PRINTED BY THOMAS TODD.....PRINTER TO THE STATE.

1828.

## CHAPTER CCCXC.

AN additional ACT to provide for carrying into effect certain stipulations in the Act for erecting the District of Maine into a separate State.

*BE it enacted by the Senate and House of Representatives, in Legislature assembled, That for defraying one half of the expense of surveying the lands in the State of Maine, surveyed and to be surveyed and divided, the charges attending such surveys, and also for defraying one half of the compensation of the Secretary of the Board of Commissioners and paying for the stationary necessary to be used by them, exclusive of the personal expenses of said Commissioners, the sum of three thousand dollars be; and hereby is appropriated as a contingent fund, to be drawn for and paid as provided in the Acts to which this is additional.*

Appropriation of \$3,000 as a contingent fund for defraying certain expense relating to the public lands.

[Approved by the Governor, February 16, 1828.]

## CHAPTER CCCXCI.

AN additional ACT for regulating marriage and for the orderly solemnization thereof.

**SECT. 1.** *Be it enacted by the Senate and House of Representatives, in Legislature assembled, That whenever, in the opinion of the Governor and Council, the situation of any denomination of Christians, or any religious society, in this State, may be such as to render it expedient that their Ministers should be authorized to solemnize marriages in other Counties than that in which they reside, the Governor, with the advice of Council, is hereby authorized, to appoint and commission any ordained Minister of the Gospel of such society or denomination, as the public good may require, to solemnize marriages in such Counties in this State as he may deem expedient, the same being expressed in their Commission,*

Ministers may be commissioned to solemnize marriages in other Counties than that in which they reside, in certain cases;

to be expressed in Commission;

which shall be held during the Governor's plea-

when revoked,  
copy of revocation  
to be filed in  
Clerk's office.

Ministers may so-  
lemnize marriages  
in any County  
named in Commis-  
sion in which one  
or both of the  
parties reside.

— shall keep a  
record of all mar-  
riages and certify  
the same to the  
Clerk of Courts,  
who shall record  
the same;

Penalty.

— liable to same  
penalties as in  
former Act.

sure, and shall be conclusive evidence that the person therein named is a Minister of the Gospel; and whenever said commission shall be revoked, an attested copy of the revocation shall be filed in the Clerk's office, of the county in which such minister may reside; and such ministers, so commissioned and qualified, are severally hereby authorized to solemnize marriages between persons who may lawfully enter into that relation, whose intentions of marriage shall have been legally published and duly certified within the limits of any county named in such commission, in which one or both the parties are resident.

**SECT. 2.** *Be it further enacted,* That every Minister of the Gospel, commissioned and qualified under this Act to solemnize marriages, shall keep a particular record of all marriages by them solemnized, respectively; and in every year, on or before the first day of April, shall certify to the Clerk of the Judicial Courts in each County, in which any marriage may have been solemnized, the names and places of abode of all persons by them respectively joined in marriage within such County during the year next preceding such certificate; and it shall be the duty of said clerk to record the same; and any Minister offending herein shall forfeit and pay fifty dollars, to be recovered by action of debt in any court proper to try the same, one half to the use of him who shall sue therefor, and the other half to the use of the county in which the action may be commenced.

**SECT. 3.** *Be it further enacted,* That any Minister commissioned to solemnize marriages, as provided in this Act, shall be liable to the same penalties for joining any person in marriage other than is provided in this Act and the Act to which this is additional, as are Justices of the Peace and Ministers by the Act to which this is in addition.

[Approved by the Governor, February 16, 1828.]