

SEC. 3. When a man having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, shall be thereby legitimized. The issue also of marriages declared null in law, shall, nevertheless, be legitimate.

Legitimacy of children.

SEC. 4. The clerks of the district court for the several counties, or any justice of the peace, shall be authorized to grant marriage licenses, and shall inquire of the party applying, (upon oath or affirmation, as the case may be,) relative to the legality of such contemplated marriage, and if the clerk or justice shall be satisfied that there is no legal impediment thereto, then he shall grant such marriage license; and if any of the persons intending to marry shall be under age, and shall not have had a former wife or husband, the consent of the parents or guardians (as the case may be) shall be personally given before the clerk or justice, or certified under the hand of such parent or guardian, attested by two witnesses, one of whom shall appear before said clerk or justice and make oath or affirmation (as the case may be) that he saw the parent or guardian, whose name is annexed to such certificate, subscribe and acknowledge the same; and the clerk or justice is hereby authorized to administer such oath or affirmation, and may thereupon issue and sign such license; and if any clerk or justice shall in any other manner issue or sign any marriage license, he shall forfeit and pay a sum not exceeding one thousand dollars, to and for the use of the party aggrieved.

Who may grant marriage licenses.

To whom to be granted.

SEC. 5. A certificate of every marriage shall be signed by the person solemnizing the same, and be transmitted, together with the marriage license, to the clerk of the district court of the county wherein the marriage was solemnized, within three calendar months thereafter, and recorded by such clerk. Every person failing to transmit such certificate to the clerk of the district court of the county in due time, shall forfeit and pay fifty dollars for the use of the county; and if the clerk shall neglect to record the same, he shall forfeit and pay fifty dollars for the use of the county.

Certificate of marriage.

Penalty for neglect.

SEC. 6. If any person, by this law authorized to join persons in marriage, shall knowingly solemnize the same contrary to the true intent and meaning of this act, the person so offending shall, upon conviction thereof, forfeit and pay any sum not exceeding one thousand dollars, to and for the use of the county wherein such offence may be committed; and if any person not legally authorized, shall attempt to solemnize the marriage contract, such person shall, upon conviction thereof, forfeit and pay five hundred dollars to and for the use of the county wherein such offence may be committed.

Penalty for solemnizing marriages contrary to law.

SEC. 7. Any fine or forfeiture arising in consequence of any breach of this law, shall be recovered by action of debt with costs of suit, in any court having cognizance of the same.

Fine, &c., how recovered.

CHAP. LXII.—An Act to provide for the destruction of wolves.

SEC. 1. That the several Boards of County Commissioners or Supervisors, (as the case may be,) of the several counties in this Territory, may at any regular or special meeting of said boards, make such provision, and allow such bounties for the destruction

County commissioners may allow bounty for wolves.

of wolves in their respective counties as they may deem necessary, not exceeding three dollars for each wolf or wolf's whelp, to be allowed in the manner hereinafter provided.

Persons applying to go before justice.

SEC. 2. Every person intending to apply for such bounty shall take every wolf or wolf's whelp, killed by him, or the scalp thereof, with the ears entire thereon, to one of the justices of the peace of the county in which such wolf or whelp shall have been taken, who shall thereupon decide upon such application.

To make oath where wolf was taken.

SEC. 3. The person claiming such bounty, shall then and there be sworn by such justice, and state on oath the time [when] and place, [where] (as near as he can,) every wolf or wolf's whelp, for which a bounty is claimed by him, was taken and killed; he shall also submit to such other examination, on oath, concerning the taking and killing such wolf or whelp, as the justice may require; and the statements made by him, on such examination, shall be reduced to writing in the form of an affidavit, which shall be sworn to and subscribed by the person making it, and certified by the said justice; and any person swearing falsely in the premises shall be subject to all the pains and penalties of perjury.

False swearing declared perjury.

Justice to issue certificate of facts, etc.

SEC. 4. If it shall appear to the justice upon such examination, that the wolf or whelp was taken and killed within the county for which he is a justice, by the person applying for the bounty, and that the mother of such whelp was not taken before she brought forth the same, he shall cut off and burn the ears and scalp of such wolf or whelp, and deliver to the person applying, a certificate of all the facts touching the examination, annexing thereto the original affidavit, made and subscribed by such person; and every justice who shall issue any such certificates, shall regularly number all the certificates issued by him, during each year, and shall mark such number and year on each certificate.

Certificate delivered to clerk of co. com.

SEC. 5. The certificate with the affidavit so taken, shall within one month after the date thereof, be delivered to the Clerk of the Board of County Commissioners of the county wherein the same was made, and he shall lay the same before the Board of County Commissioners of which he is Clerk, at their next meeting. If the Board shall be satisfied that such certificate and affidavit are just and correct, they shall award to the person to whom such certificate shall have been given, the bounty above specified, and shall cause the certificate and affidavit to be filed with the Clerk; and the person to whom such bounty shall be awarded, shall be entitled to receive the same from the Treasurer of said county.

To be filed with clerk.

Treasurer to pay bounty.

CHAP. LXII—An Act concerning the tenure of real property, the persons capable of holding and conveying, and the manner of transmitting the title thereto.

- 1st. Tenure of real property.
- 2d. Persons capable of holding and conveying real estate.
- 3d. Of conveying estates by deed.
- 4th. Manner of devising land and directing the descent of intestate estates.
- 5th. Sale of mortgaged premises by advertisement.
- 6th. Of the partition of land.
- 7th. Miscellaneous provisions.

Tenure of real property.

Estates tail abolished.

SEC. 1. All estates tail shall be and are hereby abolished; and in all cases where any person or persons now is or are seized in