

The International Acceptance and Validity of Holy Matrimony



In the year of our LORD Two Thousand and Seven
March 15, 1998, Edited 2007

His Holy Church

Dedicated to the service of the Lord.

“And they said, An Egyptian delivered us out of the hand of the shepherds, and also drew [water] enough for us, and watered the flock.” (Exodus 2:19)

“But whosoever drinketh of the water that I shall give him shall never thirst; but the water that I shall give him shall be in him a well of water springing up into everlasting life.” (John 4:14)

“For this [is] the covenant that I will make with the house of Israel after those days, saith the Lord; I will put my laws into their mind, and write them in their hearts: and I will be to them a God, and they shall be to me a people:

And they shall not teach every man his neighbour, and every man his brother, saying, Know the Lord: for all shall know me, from the least to the greatest.” (Hebrews 8: 10,11)

This booklet was published by
His Church at Summer Lake

Web site: [Http://www.hisholychurch.net/](http://www.hisholychurch.net/)

Email: contact@hisholychurch.net

The Ides of March, Two-thousand and Seven

This must be copied or published in its entirety.

Not for sale or resale.

Is Holy Matrimony Valid?

When two people marry, they agree to enter a state of matrimony as Husband and Wife. A question arises as they enter this new status. What is the *Lex Fori*¹ of the agreement? Where do we find a remedy for the agreement they have entered into? What is the forum of that union?

One of the earliest forms of law recorded was the *Ana Ittishu*, or Family laws, of the Sumerians. It was a series of precepts that the local society looked to for guidance in deciding issues of conflict. It was not unlike “common words and phrases” which express fundamental concepts and precepts of law. The people were the *fountainhead of justice* through their voluntary community courts common to their society.

Codification arrived later when some men came to believe that *they* should be the “fountainhead of justice”, rather than the people. Throughout history the law would move from the hands of the people to a ruling elite and back again. These elite were benefactors, who often exercised authority and enacted laws. They were often oppressive; this led to despotism and tyranny, which in turn would awaken the people to their original rights.

Are men to be guided by God in their hearts and minds, or by their own prejudice? God made men free to choose, and neither man nor his institutions of power and control can guarantee justice without virtue. People must constantly be vigilant to maintain any free society. They must be as concerned about their neighbor’s right of choice as they are about their own. We may only be as free as we are willing to let others be free.

“I often wonder whether we do not rest our hopes too much upon constitutions, upon laws and courts. These are false hopes, believe me; these are false hopes. Liberty lies in the hearts of men and women; when it dies there, no Constitution, no law, no court can save it.”²

God, the Creator of mankind, wishes us to be free. Freedom is good for the soul. From the Exodus to Pentecost, men have sought ways to live together in freedom, remaining unyoked except by their God-given conscience, as well as their personal love for justice and mercy. Over the centuries, men have recorded numerous accepted methods, systems, and practices to be used in their individual pursuit of a free state under God.

Matrimony under Canon law is an ancient and unique - but binding - relationship. Although the Church may be called on to facilitate such an alliance, the bond of the union is dependent upon the authority of God and

1 The legal forum.

2 Spirit of Liberty 189, Judge Learned Hand.

the free consent of the two people who enter into matrimony. Their agreement is a contract, and as with all contracts, they must include a remedy for resolution of the terms of the agreement. By tradition, this includes two independent witnesses and the Church.

Canon law was an attempt to write down the precepts of the will of God. In Canon law, every man and his possessions belongs to the Family, and the governments they elect are “representative in nature and titular in office”. Under Canon law, the power of choice remains in the hands of the Family unit, with society, through a common community, standing ready to supply arbitration and remedy under the guidance of the Church.

By Canon Law, “A marriage is brought into being by the lawfully manifested consent of persons who are legally capable. This consent cannot be supplied by any human power. Matrimonial consent is an act of will by which a man and a woman, by an irrevocable covenant, mutually give and accept one another for the purpose of establishing a marriage.”³

Canon law is not merely the common opinion of the people, but, by definition, must be in common with the opinion of God. In Canon Law, the couple marry each other under the authority of God, but also by the witness and acceptance of the congregation⁴ of the People and the permission of the families from which they sprang. Resolution of disputes with mercy and justice is not a prerogative, but a duty. We are told to love and protect each other's rights as much as we love our own.

Common law, which comes to America from Anglo-Saxon England, is mentioned in both the Constitution for the United States and the Judiciary Act of 1789, while “civil law” is not. There is a “civil nature at common law” which rests with every citizen's right and freedom to choose. “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”⁵ The States must also receive any delegated power from the People, where all rights began. Justice and mercy are dependent upon the people’s good conscience and diligent practice of virtue. At common law, the people, as a sacred duty, must decide both fact and law.

Holy Matrimony should not be confused with common law marriage. The latter is specifically a union that is not solemnized and is undertaken without the consent of the people. The civil nature of the union of Holy

3 Can. 1057 §1, §2

4 Can. 1120 ...can draw up its own rite of marriage, in keeping with those usages of place and people which accord with the christian spirit;...

5 X Amendment to the Constitution of the United States, Bill of Rights.

Matrimony is provided by the civilian community, who bear witness, without objection, to the union. While they are not a party to the union, they have an interest in it. The union of Man and Woman is the foundation of all society, and when that union fails, all society suffers.

“**Marriage**, as distinguished from the agreement to marry and from the act of becoming married, is the civil status of one man and one woman united in law for the discharge to each other and the community of duties legally incumbent on those whose association is founded on the distinction of sex.”⁶

Secondly, marriage may be a civil status. *Civil* is a word used in “contradistinction to military, ecclesiastical, natural, or foreign; thus, we speak of a civil station, as opposed to ...an ecclesiastical station”⁷

“Marriage is often referred to as a civil contract, but the emphasis in such a reference is not on the word ‘contract’, but upon the word ‘civil’ as distinguished from ecclesiastical; since there is religious freedom in this country, a religious ceremony, and rules of ecclesiastical organizations with regard to marriage, have no legal significance.”⁸

It is important that we understand that the power of legislatures to make law is granted and limited by the source of that power, which is the people. Governments are endowed by their creator, the people, with rights and privileges. The source of all law begins in the hands of the people who were “endowed by their creator with certain...rights.”

“Marriage is a personal fundamental right retained by the people under the Ninth Amendment and protected by due process First Amendment rights to privacy and association and by the Fourteenth Amendment from infringement by the states.”⁹

The people may surrender that personal fundamental right to the State, or they may maintain it by protecting it with voluntary and due diligence.

A “Marriage license” is: “A license or permission granted by public authority to persons who intend to intermarry,... By statute it is made an essential prerequisite to the lawful solemnization of the marriage.”¹⁰ But

6 Black’s 3rd Ed. p. 1163.

7 Civil - Bouvier’s Law Dictionary, Revised 6th Ed (1856)

8 Clark’s Summary of American Law. Chapt I §2. The marriage status or relationship. pp. 140.

9 “Family Law” Marriage; Annulment; Separation, by H. C. Dillon, Oregon State Bar. 5. (§2.5) Presumption of Validity of Marriage:n In re Estate of Megginson, 21 Or 387, 394–395, 28 P 388 (1891)

10 Black’s 5th Ed.

"Marriage is a civil contract to which there are three parties - the husband, the wife and the state."¹¹

Civil law is a more centralized and authoritarian legal system, distinct from Common and Canon law. The Civil law, as a legal system, is based on Roman law, especially the *Corpus Juris Civilis* of Emperor Justinian. "Civil Law,' 'Roman Law', and 'Roman Civil Law' are convertible phrases, meaning the same system of jurisprudence."¹²

It is believed by many that "The civil law reduces the unwilling freed man to his original slavery; but the laws of the Angles judge once manumitted as ever after free."¹³

A civil marriage may not be the same as a marriage validly solemnized under Common and Canon law. Any civil law that attempts to invalidate Holy Matrimony, a religious rite, is void in a society where there is religious freedom. The Church is equally dependent upon the personal, moral, and religious convictions and beliefs of the people in the fulfillment of its role of servant to the people.

"One social factor should be considered in this context. In a number of countries it is necessary to marry in a secular, civil form of marriage; a marriage celebrated according to religious rites will be invalid (and, in certain instances, when contracted before the civil ceremony, will involve the parties or the clergyman in the commission of a criminal offense). Reference to the personal law of the parties as an alternative to the *lex loci* celebration may save the validity of such a religious marriage."¹⁴

This is an important point to consider, particularly when their personal religious convictions and faith forbid becoming yoked with an exercising authority that does contrary to well-established doctrines and law.

In the following example, we see Holy Matrimony as being opposed to a civil contract before the *Lex Fori* of a civil registrar.

"The *codex iuris canonici* speaks with a certain scorn of the civil marriage as '*matrimonium civile ut aiunt*', and sincere adherents of the Roman or the Eastern church must regard a civil contract concluded before a civil registrar, usually in a business-like fashion, as an act of irreverence to

11 Van Koten v. Van Koten. 154 N.E. 146.

12 Black's 3rd p 332

13 *Libertinum ingratum leges civiles in pristina servitutem redigunt; sed leges angiae semel manumissum semper liberum judicant.* Co. Litt.137.

14 The Law Commission Report on the Private International Law Aspects of Capacity to Marry and Choice of Law,(LRC 19-1985).

the Holy Sacrament.”¹⁵

In countries where statutory civil law is not the only choice, there are numerous options to unite Man and Women. Statutory civil law may require a civil license, but other forms are often equal to, if not superior to, the civil license by statute.

Civil law is defined by statute, and therefore a “civil marriage” under that law is often defined as a three party “civil contract,”¹⁶ which cannot be modified by the parties and includes the imposition of privileges and duties imposed by the State. To enter into that civil contract, permission and procedures compelled by statute may be imposed by the State as a party to the contract.

Although Holy Matrimony, as Husband and Wife, is a valid contract by virtue of the mutual consent of the parties, the solemn exchange of vows and property, the permission of the parents or family, and the witness by formal acceptance of the people, the corporate State is not a party to the contract. In fact, the State is *barred* from impairing that contract.¹⁷

“Though mutual assent is necessary to enter into a marriage, the marriage itself is a status or relationship rather than a contract, the rights and obligations of the parties thereto being fixed by the law instead of by the parties themselves. Hence marriages are not within the provision of the United States Constitution forbidding a state to impair the obligation of contracts.”¹⁸ But is the State the only---or even the primary---source of law?

A “civil marriage”, defined in statute law, is a personal relationship subject to the state’s power to interfere with rights previously vested in that

15 Ibidem

16 Family law. Marriage; Annulment; Separation. “Marriage is a “civil contract.” ORS 106.010. It is founded on the agreement of the parties and does not require religious solemnization for its validity. Unlike an ordinary contract, a civil contract cannot be modified by the parties. The parties may choose to enter into the contract, but marriage includes the imposition of certain rights and duties imposed on the parties by the state. *Maynard v. Hill*, 125 US 190, 211, 8 S Ct 723, 31 L Ed 654 (1888). There are three parties to the contract: man, woman, and the state. (1990 ed & 1997 supp) Helen C. Dillon.

17 No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility. Section 10, Clause 1:

18 Clark’s Summary of American Law. Chapt I §2. The marriage status or relationship. pp. 140.

natural union of a Man and a Woman.¹⁹ According to the ancient and holy testaments, the original Husband and Wife were united as one body, and no man or State had the power to divide the sanctity of that union.²⁰

“Every person is a man, but not every man a person.”²¹ “Man is a term of nature; person, of the civil law.”²² “The union of a man and a woman is of the law of nature.”²³ The Husband is to love, honor, and cherish his Wife as a protector in a sacred union.

Sir William Blackstone wrote:

"By marriage, the husband and wife are one person in law: that is, the very being or legal existence of the woman is suspended during marriage, or at least is incorporated and consolidated into that of the husband; under whose wing, protection, and cover, she performs everything; and is therefore called in our law-french a fem-covert; and her condition during her marriage is called her coverture." Commentaries, Vol. 1, Chap XV.

Civil marriage is an offer of status under the wing, protection, and cover of the State. When the State becomes a party to the marriage by application and civil contract, the natural union of Husband and Wife is subverted by the presence of an unequal power within that union. This three-party union may be perceived as an adulterous one, not bound in love, but by the power of the State. A change in the status of what was originally only a natural domestic relationship, causes a change in status of the parties.

"At common law a married woman's contract is absolutely null and void ab initio ... It is settled by the decisions in this state that married women have no power, except such as is affirmatively given by statute, to bind themselves personally by contract."²⁴

If a woman was free from the natural bonds, protection, and cover of Family and Husband she may go under the coverture of the civil State. The State would have the former right of the Husband, who in turn would become little more than a cohort. Her children would not belong to the

19 Family law. Marriage; Annulment; Separation. 2. (§2.2) Status Marriage is not a property interest of the parties; it is a personal relationship subject to the state's power to fix the conditions under which it may be created or terminated.

Buchholz v. Buchholz, 248 NW2d 21, 23 (Neb 1976) (wife had no vested property right in her marriage but, even if she did, state has inherent "police power" to interfere with that right). (1990 ed & 1997 supp) Helen C. Dillon.

20 "What therefore God hath joined together, let not man put asunder." Mr 10:9

21 Omnis persona est homo, sed non vicissim.

22 Homo vocabulum est; persona juris civilitis. Calvinus, Lex.

23 Conjunctio mariti et femina est de jure naturæ.

24 Saunders v. Powell, 67 S.W. 402, 403 (1933).

corpus (or body) of the Family, but to the corporation of the State, which could then claim Parentis Loci. The purpose and procedure of the civil marriage license is to bind the husband and wife and their children under the authority of the State, which the State deems to be proper.

In statutory civil marriages there are three parties, the third being the State. In Holy Matrimony there are also three parties, the third being God, the Father. In a statutory marriage under civil authority, the State is the ruling judge²⁵ of the marriage by mutual assent. In Holy Matrimony, solemnized by the rites of the Church, before witnesses and the congregations of the people, the Man and the Woman are fully married in the eyes of God and the people by mutual agreement.

The family union remains free within their greater Family and community. The recording institution of that union, the Church, remains a servant. There is a remedy for disputes through the congregation of the people and the religious community. The agreement is sealed and recorded through the solemnization by the witnesses and the Church.

"Marriage is defined to be a covenant between a man and a woman, in which they mutually promise cohabitation and a continual care to promote the comfort and happiness of each other. It is an institution of God, and a very honorable state. The Saviour honored it by his presence, and at such a solemnity wrought his first miracle: Buck Theo. Dictionary, 261, Lonas v. The State, 50 Tenn. 287, 308.

Ceremonies of marriage, as a religious ritual in a well organized Church and congregational bodies, are a valid solemnization with, or without, State sanctions. They are lawfully married. Their obligation and mutual promise are not diminished. No man or agency may treat a marriage as void because they have no statutory or state-issued civil license without doing an injustice, and impairing the obligations of that union. In fact, the state has long recognized the religious right of marriage as valid.

"It is well established that the failure to procure a marriage license does not have the effect of rendering the marriage void. The requirement of the license preliminary to marriage is wholly of statutory origin ... When a marriage has been proven there is a presumption in favor of its continuance." Browning v. Browning, 224 Md. 399 (1960)

A married couple must be presumed married unless evidence that they are not married can be produced. The regulatory purpose of a state marriage license requirement cannot be enforced by "the radical process of rendering void and immoral a matrimonial union otherwise validly

25 There Are gods Many <http://www.hisholychurch.net/pdfiles/godsmany.PDF>

contracted and solemnized."²⁶

In many states it has been ruled that:

“failure to procure a license does not invalidate a ceremonial marriage... In affirming the marriage as valid, the Court relied on the common law principle that a marriage without a license is universally held to be valid in the absence of an express declaration by the Legislature that such a marriage is void. *Hollopeter*, 52 Wash. at 45; see *Weatherall v. Weatherall*, 63 Wash. 526, 529, 115 P. 1078 (1911) (absence of license or failure to properly file a license would not invalidate a marriage otherwise valid.)”

“The rule stated in *Hollopeter* remains the rule today. In the eyes of the common law, marriage is a civil contract. As Blackstone put it, the law treats marriage ‘as it does all other contracts: allowing it to be good and valid in all cases, where the parties at the time of making it were, in the first place, willing to contract; secondly, able to contract; and, lastly, actually did contract, in the proper forms and solemnities required by law.’ *Picarella v. Picarella*, 20 Md. App. 499, 316 A.2d 826, 832, n.10 (1974), quoting 1 William Blackstone Commentaries, Book I, ch 15, section 433. Lewis's Ed.”

The same court went on to say, “We are aware of no authority for declaring a marriage to be valid for some purposes but not for others.” If a marriage is valid for one purpose it must be valid for all purposes. This principle is not limited to States of the United States, but reaches into other national jurisdictions.

“It may be argued that our law should adopt an approach which would tend to uphold as *valid marriages* unions entered into by persons with a genuine matrimonial commitment. Too zealous an adherence to ‘black-letter’ private international law rules at the expense of a sound regard to the human realities of the situation would be socially damaging and potentially unjust. The *favor matrimonii* principle reflects the policy that marriages ‘should be held to be valid unless there is some good reason to the contrary.’”²⁷

What the Church is doing is creating or establishing documents that could be validated "using the chain authentication method". We may establish a record that "Matrimony ought to be free"²⁸ and is essentially a religious act. For the state to say that they only recognize state marriages and not ecclesiastical marriages is to violate religious freedom. Any prenuptial agreement with the State Courts for remedy or protection,

26 *Feehley v. Feehley*, 99 A. at 665.

27 Private International Law: Choice of Law Rules in Marriage, para. 2.35, clause (e) (1985), Choice of Law and Proceedings for nullity of Marriage, Chapter 1, Section 4. The *favor matrimonii* principle

28 *Matrimonia debent esse libera*. Halkers, Max. 86; 2 Kent, Comm. 102.

“draws subjection”.²⁹

"If a ceremonial marriage is in fact established by evidence or admission it is presumed to be regular and valid, then the burden of showing that it was an invalid marriage rests on the party asserting its invalidity." *Overton v. Overton*, 260 N.C. 139, 143

In Holy Matrimony, in accordance with the Rites of the Church, there *is* a license to marry. The Family gives recorded permission (“license”) for a member of a family to marry. Without both the families granting permission, the marriage, in one sense, could be considered “illegal” from the point of view of the long recognized Family laws of the people.

By that recorded permission, the Church, the parties, and witnesses formerly recognize the natural order of this relationship and document all aspects of this Holy union under God. Each Family agrees or grants permission that would otherwise be illegitimate within the coverture of the Family. The individuals marry in agreement, the people bear witness, and the Church keeps a record of all; and as a body, offers a *Lex Fori* remedy as well as coverture in, but not of, the world.

This is not done simply by witnessed documents and testimony, but by an admission to the existence of both the particular congregation, as well as the network of congregations of the Church. Without that network, the marriage has no true coverture or remedy beyond the parties, and they may appear to become a “limping marriage”, i.e. one with no remedy.

There should be a valid and verifiable network of congregations as a Church, so as to provide remedy for internal and external disputes concerning the marriage. The servant Church can supply this connection of the kingdom of God through documenting relationships, intent, and providing remedy for arbitrating disputes. Like the property lines, you mark the boundaries.

What if Husband and Wife are incapacitated or die? Who would care for or raise the children? Who will step in and protect the integrity of the Family? It is the responsibility of every Family to clearly define and protect the nature of the Family through the voluntary *Lex Fori* in which they participate. It is customary to call upon the congregation of the people and the servant Church to authenticate their true matrimonial desire and status.

The extent of law within the corporate State is derived from the consent of its members, as persons. In the past, the power to decide fact and law rested in the hands of heads of families in the form of free juries of their

²⁹“Protection draws to it subjection; subjection protection” *Protectio trahit subjectionem, subjectio protectionem*. Coke, Littl. 65.

peers. In other governments, the power rests almost entirely with the leaders of the State, who pass laws and appoint partisan administrative judges, who exercise authority.³⁰

The shift between these two extremes is often determined by a series of ongoing applications, participation, and consent between the State and the people. The more responsible and diligent the people in the exercise of rights and duties to each other, the more free they will be.

In *Reynolds v. U.S.*, an interesting opinion is expressed:

“Laws are made for the government of actions, and while they cannot interfere with mere religious beliefs and opinions, they may with practices. . . . Can a man excuse his practices to the contrary because of his religious belief? To permit this would be to make the professed doctrines of religious belief superior to the law of the land, and in effect to permit every citizen to become a law unto himself. Government could exist only in name under such Circumstances.”

Yet, we see that in the definition of Republic it states, “A state or nation in which the supreme power rests in all the citizens... A state or nation with a president as its titular head; distinguished from monarchy.” Titular is defined as, “existing in title or name only” while a monarch is “a single or sole ruler of a state... a person or a thing that suppresses others of the same kind.” The professed religious belief of every citizen within the basic parameters of the Ten Commandments has been the foundational law of many nations with titular leaders for centuries.³¹ Godly governments of virtuous people should exist in name only when it comes to natural right.

The extensive history of marriage tracks back to the common law of England, where it required some religious ceremony.³² “Civil marriages were not authorized to be performed by the Court Clerks until later in the Twentieth Century (1964); judges were not authorized to perform weddings in Maryland until the 21st Century (2002).”³³ But now, many states are

30 Matthew 20:25-26, Mark 10:42-43, Luke 22:25-29.

31 Judges 17:6 In those days [there was] no king in Israel, [but] every man did [that which was] right in his own eyes.

32 “The Act of 1777, chap.12, concerning marriages... plainly indicated the understanding of the Legislature to be that no marriage was to be thereafter good and valid, unless celebrated by some religious rites and ceremony. It expressly provided that the rites of marriage should not be celebrated by any person within this State, unless by some ordained minister....” *Denison v. Denison*, 35 Md. 361 (1872).

33 Circuit Court of Maryland for the Baltimore City, Amicus Submission of First and Franklin St. Presbyterian Church

usurping this fundamental right of the People (and duty of the Church) by attempting to fine clergy who perform the sacred rite of Holy Matrimony.

Such usurpation may not be tolerated without surrendering those rights retained by the people in Articles I,³⁴ IX³⁵ and X. Holy Matrimony is a civil marriage by the witness and acceptance, without objection, of the civilian population of a place. Those participants are merely exercising rights retained by the people.

Using Oregon Revised Statutes (ORS) only as an example, section 106.010 defines by statute its offered form of Marriage as civil contract. If the state is a party to a contract it has every right---and even an obligation---to define the terms of that contract by statute. If no one is allowed to marry unless they enter into a three party civil contract with the State, then the people are truly subjects, and no longer free.

If there is religious freedom in this country, a marriage remains valid according to ORS 106.150. While there is a requirement in some states to apply for a license in order to enter into a civil contract of marriage with the State, there can be no obligation to enter into such contract in order to become married.

Is there a distinction between being married at a place in Oregon or another State and being married under the State of Oregon? Is a truly solemnized Church marriage valid in the eyes of the State? Can the makers of statutes only make rules concerning validating statutory civil licensed marriages? Should a true “government, of the people, by the people and for the people”³⁶ be the source of law in the land?

According to Section 1. ORS 106.120 (1)(d) of the State:

(1)Marriages may be solemnized by: (d) A clergyperson of any religious congregation or organization who is authorized by the congregation or organization to solemnize marriages.

The state only makes rules about the state solemnization of their contract and license. But in 106.150 no particular form is required.

106.150 Form of solemnization; witnesses; solemnization before congregation.

34 Amendment I: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

35 Amendment IX. The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

36 “This Bible is for the Government of the People, by the People, and for the People.” John Wycliffe introduction to the Bible in 1382.

- (1) In the solemnization of a marriage no particular form is required except that the parties thereto shall assent or declare in the presence of the clergyman, county clerk, or judicial officer solemnizing the marriage and in the presence of at least two witnesses, that they take each other to be husband and wife.
- (2) All marriages, to which there are no legal impediments, solemnized before or in any religious organization or congregation according to the established ritual or form commonly practiced therein, are valid. In such case, the person presiding or officiating in such religious organization or congregation shall make and deliver to the county clerk who issued the marriage license the certificate described in ORS 106.170. [Amended by 1979 c.724 §5; 2001 c.501 §2]

How are we to understand this statute?

If the couple has not applied for a civil marriage license with The State of Oregon, the clergyman may have nothing to deliver to the county clerk. If they have not chosen to enter into a three-party contract with the civil authority, their marriage as a natural domestic relationship is not invalidated. The Lex Fori is simply with the Church and the congregation or society of their choice.

“ORS 106.130 Validity of marriage solemnized by unauthorized person. A marriage solemnized before any person professing to be a judicial officer of this state, a county clerk, or a clergyman of a religious congregation or organization therein is not void, nor shall the validity thereof be in any way affected, on account of any want of power or authority in such person, if such person was acting at the time in the office or the capacity of a person authorized to solemnize marriage and if such marriage is consummated with the belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage. [Amended by 1979 c.724 §4; 2001 c.501 §5]”

While all society should have an interest in every marriage, no society or government should have a controlling interest. Holy Matrimony is “consummated with the belief on the part of the persons so married”, verified and accepted by the good people of the place and the authenticated record of the Church. There is remedy for those who live by faith, hope, and charitable forgiveness in the perfect law of liberty, which is love. The community in congregation and the Church in service seek to protect the integrity of that marriage as if it were their own. Holy Matrimony is an institution of the Law of Nature and Nature 's God reserved to the people by God if they will be diligent to retain that blessed gift from God the Father.

Publications Available:

The Covenant of the gods

A blend of Law, the Bible and History. Offering an explanation of how the contractual nature of governments. The method by which gods are created obtaining our consent, through application, construction and acquiescence. How we choose bondage through apathy and avarice, covetousness and greed, and of course lack of knowledge and ignorance. The rise of despots and rulers with a reciprocal decline in liberty.

Thy Kingdom Comes

The history of the Kingdom of God, it's peculiar nature and character and how it can change our lives today and tomorrow. A look at the sophistry and trickery that has hidden the truth that the kingdom of God is at hand for those who will seek it and its righteousness.

The Free Church Report

The nature, structure and method of the Free Church; how it worked and can work in the past and present. Guidelines, politics and accords for forming a free Church in accordance with the precepts of God and His Son, the Anointed King of His Kingdom.

Other audios and DVDs are available at:

Web site: [Http://www.hisholychurch.net/](http://www.hisholychurch.net/)

Email: contact@hisholychurch.net

For more information concerning the Church and other publications, services and projects please contact:

His Church

Via Box 10

Summer Lake, Oregon 97640

Voice 541-943-3208

His Church

P.O. Box 10

10 Anna Lane

Summer Lake, Oregon 97640