

# MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

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SENATE

NO. 211

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*In Senate, Feb. 21, 1917.*

*Referred to Committee on Legal Affairs and five hundred copies ordered printed. Sent down for concurrence.*

*W. E. LAWRY, Secretary.*

*Presented by Mr. Holt of Cumberland.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND SEVENTEEN

AN ACT to amend Section Four, of Chapter Sixty-four of the Revised Statutes of Nineteen Hundred and Sixteen, relatives to the recording of intentions of marriage.

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*Be it enacted by the People of the State of Maine, as follows:*

Section four of chapter sixty-four of the Revised Statutes 2 of nineteen hundred sixteen is hereby amended by adding 3 thereto the following paragraphs:

'Upon application by both of the parties to an intended 2 marriage, when both parties are residents of this state, or 3 both parties are non-residents, or upon application of the

4 party residing within the state when one of the parties is  
5 a resident and the other a non-resident, a judge of probate  
6 or the justice of a police, or municipal court, or trial jus-  
7 tice, may after hearing such evidence as is presented, grant  
8 a certificate stating that in his opinion it is expedient that  
9 the intended marriage be solemnized without delay. Upon  
10 the presentation of such a certificate, or a copy thereof  
11 certified by the clerk of the court by which the certificate  
12 was issued, or in extraordinary or emergency cases when  
13 the death of either party is imminent, upon the authorita-  
14 tive request of a minister, clergyman, priest, rabbi or at-  
15 tending physician, the clerk or registrar of the city or town  
16 in which the intention to be joined in marriage has been  
17 filed shall at once issue the certificate as prescribed in this  
18 section.

The five days' notice required by the provisions of this sec-  
2 tion shall not apply to cases in which either of the parties  
3 to an intended marriage has arrived as an immigrant from  
4 a foreign country within five days.' So that said section  
5 as amended shall read as follows:

'Sect. 4. Residents of the state intended to be joined in  
2 marriage shall cause notice of their intentions to be recorded  
3 in the office of the clerk of the town in which each resides,  
4 at least five days before a certificate of such intentions is  
5 granted; and if one only of the parties resides in the state,  
6 they shall cause notice of their intentions to be recorded  
7 in the office of the clerk of the town in which such party

8 resides, at least five days before such certificate is granted;  
9 and if there is no such clerk in the place of their residence,  
10 the like entry shall be made with the clerk of an adjoining  
11 town; and if both parties reside out of the state they shall  
12 cause notice of their intentions to be recorded in the office  
13 of the clerk of the town in which such parties propose to  
14 have the marriage solemnized, at least five days before such  
15 certificate is granted, and the book in which such record is  
16 made, shall be labeled on the outside of its cover, "Record  
17 of intentions of marriage," and be kept open to public in-  
18 spection in the office of the clerk.

Upon application by both of the parties to an intended  
2 marriage, when both parties are residents of this state, or  
3 both parties are non-residents, or upon application of the  
4 party residing within the state when one of the parties is  
5 a resident and the other a non-resident, a judge of probate  
6 or the justice of a police, or municipal court, or trial jus-  
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