

MAINE STATE LEGISLATURE

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January 13, 1938

Reverend E. L. Littlefield
Boothbay Harbor
Maine

Dear Sir:

In answer to your inquiry of January 7, while I cannot give you an official opinion, owing to the fact that the Attorney General can act officially only for the State and State departments in State matters, I am pleased informally and unofficially to answer your first question by calling your attention to section 4 of Chapter 72, of our Revised Statutes, wherein it is provided: "if both parties reside out of the state they shall cause notice of their intentions to be recorded in the office of the clerk of the town in which such parties propose to have the marriage solemnized at least five days before such certificate is granted" etc.

My answer to your second and third questions is, No, being of the opinion that the contracting parties must be in the presence of the minister or magistrate solemnizing the marriage.

With reference to your fourth and fifth questions, I call your attention to sections 7 and 9 of the enclosed Abstract.

Trusting that the foregoing, with enclosure, will give you the information you require, I am

Very truly yours,

Sanford L. Fogg
Deputy Attorney General

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