

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(NEW DRAFT)

---

---

**EIGHTIETH LEGISLATURE**

---

---

**HOUSE**

**NO. 324**

House of Representatives, March 17, 1921.

Reported by majority from Committee on Public Health and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

---

---

**STATE OF MAINE**

---

**IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND TWENTY-ONE**

---

AN ACT to Require the Filing with the Town and City Clerks of Clean Bills of Health by Persons Filing Certificates of Intention of Marriage.

---

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

Section four of chapter sixty-four of the revised statutes, 2 as amended by chapter one hundred of the public laws of 3 nineteen hundred and seventeen, is hereby further amended 4 by adding at the end of said section the following, to wit:  
5 'Each such party shall also file with the clerk a clean bill 6 of health executed by a duly qualified physician in this state.  
7 Suspicion of the presence of active contagious disease shall 8 be verified, if possible, by the state board of health, and

9 freedom from active contagious disease, after due exam-  
10 ination by the state board of health so reported to the physi-  
11 cian in charge, shall, with the opinion of said physician,  
12 furnish the basis for a clean bill of health to the contracting  
13 parties', so that said section as amended shall read as fol-  
14 lows:

'Sect. 4. Residents of the state intending 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 intention 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  
16 is made, shall be labeled on the outside of its cover, "Record  
17 of Intentions of Marriage," and be kept open to public  
18 inspection 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 justice,  
7 may after hearing such evidence as is presented, grant a  
8 certificate stating that in his opinion it is expedient that the  
9 intended marriage be solemnized without delay. Upon the  
10 presentation of such a certificate, or a copy thereof certified  
11 by the clerk of the court by which the certificate was issued,  
12 or in extraordinary or emergency cases when the death of  
13 either party is imminent, upon the authoritative request of  
14 a minister, clergyman, priest, rabbi, or attending physician,  
15 the clerk or registrar of the city or town in which the in-  
16 tention to be joined in marriage has been filed shall at once  
17 issue the certificate as prescribed in this section.

The five days' notice required by the provisions of this  
2 section shall not apply to cases in which either of the par-  
3 ties to an intended marriage has arrived as an immigrant  
4 from a foreign country within five days.

Each such party shall also file with the clerk a clean bill  
2 of health executed by a duly qualified physician in this state.  
3 Suspicion of the presence of active contagious disease shall  
4 be verified, if possible, by the state board of health, and  
5 freedom from active contagious disease, after due exam-  
6 ination by the state board of health so reported to the physi-  
7 cian in charge, shall, with the opinion of said physician,  
8 furnish the basis for a clean bill of health to the contracting  
9 parties.'