

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 791

H. P. 1414

House of Representatives, February 11, 1941.

Referred to the Committee on Judiciary and 650 copies ordered printed.
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Payson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to Consent of Parents to Marriages.

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

Sec. 1. R. S., c. 72, § 5, amended. Section 5 of chapter 72 of the revised statutes, as amended, is hereby further amended to read as follows :

‘Sec. 5. Clerk to give certificate to parties, but not to paupers, nor to minors without written consent of parents. On and after the 5th day from the filing of notice of intentions of marriage, except as otherwise provided, the clerk shall deliver to the parties a certificate specifying the time when such intentions were entered with him ; and it shall be delivered to the minister or magistrate before he begins to solemnize the marriage, which shall be performed in the presence of at least 2 witnesses besides the clergyman or magistrate officiating ; but no such certificate shall be issued to a male under 21, or to a female under 18 years of age, without the written consent of their parents or guardians first presented, if they have any living ; or to a male or female under 16 years of age without the written consent of their parents or guardians first presented, if they have any living, and without said clerk having notified in writing the judge of probate in the county in which they reside of the filing of such intentions, who may in the interest of public welfare, order that no such certificate shall ~~issue~~ be is-

sued, nor to a state, city, or town pauper, when the overseers of such town where the pauper resides, deposit a list of their state, city, or town paupers and a list of such state paupers as reside in their town with the clerk. Such certificate is void if not used within 1 year after the date of issuance. Whoever contracts a marriage or makes false representations to procure the certificate provided for above or the solemnization of marriage contrary to this chapter shall forfeit \$100. The clerk of any town or his deputy who intentionally violates the provisions of this section or falsely states the residence of either party named in the certificate above mentioned shall forfeit \$20 for each offense.'

Sec. 2. P. L., 1933, c. 1, § 62-A, amended. Wherever in section 62-A of chapter 1 of the public laws of 1933, which was enacted by section 3 of chapter 126 of the public laws of 1939, the words "marriage license" appear, the words 'marriage certificate' shall be substituted.

Sec. 3. P. L., 1933, c. 1, § 62-A, amended. Section 62-A of chapter 1 of the public laws of 1933, which was enacted by section 3 of chapter 126 of the public laws of 1939, is hereby amended so that the fourth paragraph of said section shall read as follows:

'The license shall contain the information called for in the following form, so far as same is known to each person, one of whom shall subscribe to the truth of same in the presence of the clerk or one of his assistants, of that town or city in which ~~they respectively reside~~ **the certificate of intentions of marriage is filed.'**