

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 302

H. P. 218

House of Representatives, January 30, 1957.

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Walker of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Duties of Town Clerks Concerning Vital Statistics.

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

Sec. 1. R. S., c. 25, § 381, amended. The last sentence of the second paragraph of section 381 of chapter 25 of the Revised Statutes is hereby amended to read as follows:

'If there has been more than one divorce, the said certificate or certified copy as to ~~every such divorce~~ **the last divorce next preceding the time of filing of intentions** shall be submitted with and noted on each notice of intention.'

Sec. 2. R. S., c. 25, § 400, amended. The fourth sentence of section 400 of chapter 25 of the Revised Statutes is hereby amended to read as follows:

'If the clerk furnishes a copy of such record, he shall certify to the facts contained therein as amended, and shall ~~state~~ in addition ~~that the certificate is issued under the provisions of this section, a copy of which shall be printed on every such certificate~~ **note the following: "this record corrected on** **in accordance with the provisions of the Revised Statutes**
(date)
of Maine."

Sec. 3. R. S., c. 25, § 402, amended. Section 402 of chapter 25 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 402. Duties of clerks.** The clerk of each city or town shall enforce, so far as comes within his power, the provisions of sections 379, 380, 381, 382, 383, 386, 390 and 395 of this chapter, and section 10 of chapter 166, and when he knows of any birth, marriage or death, which is not reported to his office in

accordance with the provisions of the law relating to vital statistics, he shall collect, so far as he is able to do so, the facts called for in the blank certificates of birth, of marriage or of death, as furnished by the State Registrar and shall record them. ~~as is herein prescribed; for each birth or death or marriage duly reported to the town clerk, physicians or persons solemnizing marriages shall receive 25c from the town in which the birth, death or marriage has occurred~~

Sec. 4. R. S., c. 166, § 5, amended. The first sentence of section 5 of chapter 166 is hereby amended to read as follows:

'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~~ 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~~ **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, guardians or persons to whom a court has given custody of such minors first presented, if they have any living; ~~in.~~ **In** the absence of persons qualified to give consent, the judge of probate in the county where such minors reside may, ~~after notice and hearing upon petition, grant consent; when.~~ **When** 2 licenses are required and when either or both applicants for a marriage license are under ages specified in this section, the written consent shall be given for the issuance of both licenses and such written consent shall be given in the presence of the clerk issuing the license or by acknowledgment under seal filed with such clerk.'