

The Marriage Law

The act entitled "An act relating to marriage license," providing for officers indicated to issue licenses for parties to marry, was amended by the last Legislature to read as follows:

The clerk of the court shall inquire of the parties apply, either separately or together, for marriage license as aforesaid, on oath or affirmation relative to the legality of the contemplated marriage; and if there be no legal objection thereto, then he shall grant such marriage license; or the parties intending marriage may either separately or together appear before any magistrate, alderman or justice of the peace of the township, ward or county wherein either of the contracting parties reside, and in the county where the license is desired, who may, and is hereby authorized and inquired of them, touching the legality of their contemplated marriage; and such inquiries and the answers thereto having been subscribed and sworn to by the parties before such officer, may be forwarded to the clerk of the court, who, if satisfied after an examination thereof, that the same is genuine, and that no legal objection to the contemplated marriage exists, shall grant a license therefor.

And if any of the persons intending to marry by virtue of such license shall be under twenty-one years of age, the consent of their parents or guardians shall be personally given before said clerk, or certified under the hand of such parent or guardian, shall be properly acknowledged before a notary public or other officer competent under the law to receive acknowledgements, which said certificate and oath shall be filed of record in said office, and entry of the same shall be made by the same clerk on the marriage license docket as a part of the records of the issuing of said license, and for which he shall receive as his fees the sum of fifty cents, in addition to the marriage license fee, and the said magistrate, alderman or justice of the peace, for services rendered by him under the magistrate, alderman or justice of the peace, for services rendered by him under the provisions of this act, shall be entitled to the sum of fifty cents.

The clerk of the court shall furnish magistrates, aldermen and justices of the peace, at the cost of the proper county, all necessary blanks for acknowledgements and affidavits, herein required; and if any clerk of any said courts shall in any other manner issue or sign any marriage license, or if any magistrate, alderman or justice of the peace, shall wilfully make any false return to the clerk of the court, he shall forfeit and pay any sum not exceeding one thousand dollars, and for the use of the party aggrieved: Provided, That nothing in this act shall be so construed as to prevent either party from making application for such license, by or through any next friend or relative, which next friend or relative may make the required proof on behalf of the person represented by him or her.

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