WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

HOUSE BILL No. 307

(By Mr. Martin)

PASSED March 13, 1937

In Effect 90 days from Passage
ENROLLED

House Bill No. 307
(By Mr. Martin)

[Passed March 13, 1937, in effect ninety days from passage.]

AN ACT to amend and reenact section six, article one, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, relating to the issuance of licenses for marriage, and to provide for the filing and recordation of applications therefor, and making it a misdemeanor for any person to make a false entry as to the date of filing such applications.

Be it enacted by the Legislature of West Virginia:

That section six, article one, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 6. By Whom Marriage License Issued; Application for License in Writing Three Days Prior to Granting; Judge to Act in Emergencies. Every license for a marriage
shall be issued by the clerk of the county court of the county
in which the female to be married usually resides: Provided,
however, That such license shall be issued not sooner than
three days after the filing with said clerk of a written appli-
cation therefor. The day upon which such application is filed
shall be counted as the first day, but two full days shall
elapse after the day of such filing before the license shall be
issued: Provided further, That in cases of emergency or ex-
traordinary circumstances a judge of the circuit court for
the county in which such application is filed may direct the
clerk, by order duly entered in the circuit court clerk's office
of the said county, to issue such license at any time before the
expiration of said three days. The entry of such order shall
be conclusive evidence of such emergency, or extraordinary
circumstances, and such order need not recite the existence,
character or nature of such emergency, or extraordinary
circumstances. In the absence or incapacity to act of the
judge of the circuit court of the county in which said appli-
cation is filed, such direction to the clerk may be by the judge
of any judicial circuit adjoining the circuit in which such
county is situate. Such application for a marriage license
shall contain a statement of the full names of both parties, their respective ages and their places of birth and residence. It shall be signed by one or the other of the parties to the contemplated marriage and shall be verified by such party to be true to the best of his or her knowledge and belief, and shall be recorded in the register of marriages provided for in section eleven of this article, and the date of its filing shall be noted in said register, which notation or a certified copy thereof shall be legal evidence of the facts therein stated. Any person making a false entry as to the date of such filing shall be guilty of a misdemeanor and, upon conviction, shall be fined not to exceed one hundred dollars, and, in the discretion of the court trying the case, may, in addition thereto, be confined in the county jail for not exceeding three months.

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the 19th day of March

1937

SECRETARY OF STATE
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the

Takes effect

passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within

this the
day of

1937.

Governor.

Filed in the office of the Secretary of State of West Virginia.

Wm. S. O'Brien, Secretary of State