

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959



## ENROLLED

HOUSE BILL No. 185

(By Mr. Drewery & Mrs. Walker)



PASSED March 2 1959

In Effect 90 days from Passage



Filed in Office of the Secretary of State  
of West Virginia MAR 10 1959

JOHN B. BOHLEN  
SECRETARY OF STATE

ENROLLED

House Bill No. 185

(By MRS. DREWRY and MRS. WALKER)

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[Passed March 2, 1959; in effect ninety days from passage.]

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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, as amended, relating to application for an issuance of marriage license.

*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, as amended, be amended and reenacted to read as follows:

Section 6. *Application for License; Requirements for*

2 *Issuance of License.*—Every license for marriage shall be  
3 issued by the clerk of the county court of the county in  
4 which the female to be married usually resides, except in  
5 cases of a female who is a nonresident of the state of  
6 West Virginia, by the clerk of the county court of the  
7 county in which application is made: *Provided, however,*

8 That such license shall be issued not sooner than three  
9 days after the filing with said clerk of a written applica-  
10 tion therefor. The day upon which such application is  
11 filed shall be counted as the first day, but two full days  
12 shall elapse after the day of such filing before the license  
13 shall be issued: *Provided, further,* That before any such  
14 license is issued each applicant therefor shall file with  
15 the clerk a certificate or certificates from any physician  
16 duly licensed in the state, stating that each party thereto  
17 has been given such examination, including a standard  
18 serological test, as may be necessary for the discovery of  
19 syphilis, made not more than thirty days prior to the date  
20 on which such license is issued, and stating that in the  
21 opinion of the physician the person therein named either  
22 is not infected with syphilis or, if so infected, is not in  
23 the state of the disease which is or may later become  
24 communicable. Such examinations and tests as are re-  
25 quired hereunder may be given as provided by section  
26 nineteen, article four, chapter sixteen of this code.

27 The application for a marriage license shall contain  
28 a statement of the full names of both parties, their respec-

29 tive ages and their places of birth and residence. It shall  
30 be signed by one or the other of the parties to the con-  
31 templated marriage, and shall be verified by such party  
32 to be true to the best of his or her knowledge and belief;  
33 and shall be recorded in the register of marriages pro-  
34 vided for in section eleven of this article. The date of its  
35 filing shall be noted in said register, which notation or a  
36 certified copy thereof shall be legal evidence of the facts  
37 therein contained.

38 To the extent otherwise provided by section six-c of  
39 this article, the provisions of this section shall not apply.  
40 No application for license shall be received nor any license  
41 issued on any Sunday, or before the hours of eight o'clock  
42 A.M. and after five o'clock P.M. on any week day.

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

*W. M. Jasper*  
Chairman Senate Committee

*F. J. Teem*  
Chairman House Committee

Originated in the House of Delegates

Takes effect *90 days from* passage.

*D. H. Weaver*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Ralph W. Bean*  
President of the Senate

*H. R. Raley*  
Speaker, House of Delegates

The within *approved* this the *9th*

day of *March* 1959.

*Earl D. Underwood*  
Governor