

A BILL FOR

An act to provide for the registration of all marriages with the State Registrar of vital statistics and providing fees for the same, and providing penalties for violation thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That all marriages occurring within the
2 state shall be registered with the state registrar of vital
3 statistics at the state capitol as hereinafter provided.

1 Sec. 2. That all clerks of courts of the several
2 counties in this state, when applied to for that purpose by
3 any person legally entitled to a marriage license, shall issue
4 a marriage license in substance as follows:

5 "Marriage License. (Name of place where office is
6 located, month, day and year).

7 "To Any Person authorized by law to perform the marriage
8 ceremony, Greeting:

9 "You are hereby authorized to join in marriage A. B. of
10, age, and C. D. of, aged
11 (and name of parent or guardian consenting), and of this license,
12 duly endorsed, you will make due return to the office of the
13 state registrar of vital statistics at Des Moines immediately
14 after performing the ceremony.

15 E. F., Clerk of Court".

16 Provided, no clerk of court shall issue a license

17 authorizing the marriage of any male person under age of twenty-
18 one years, or female person under the age of eighteen years,
19 except with the consent of his or her father, or, if he be dead
20 or incapable, or not residing with his family, his or her mother
21 or guardian, as the case may be, if she or he have one, which
22 consent, if not given at the time in person, shall be
23 evidenced by a certificate in writing subscribed thereto and
24 duly attested; provided further, that where such consent shall
25 have been given as herein provided, no license shall be issued
26 to any male person under the age of eighteen years, or female
27 person under the age of sixteen years, without the consent of
28 the clerk of court in addition thereto; provided further, that
29 the clerk of court may issue license upon the affidavit of the
30 person applying therefor, or some responsible person for him,
31 to the effect that the parties to whom such license is to issue
32 are of lawful age, as required by this section, and the clerk
33 of court is hereby authorized to administer oaths for that
34 purpose. Every person swearing falsely in such affidavit shall
35 be deemed guilty of a violation of this act and shall be punished
36 by a fine not exceeding five hundred dollars (\$500.00). The
37 clerk of court shall state in every license the age of the
38 parties applying for the same, and if either or both are minors,
39 the name of the father, mother, or guardian consenting to such
40 marriage.

1 Sec. 3. The forms for license shall be furnished by
2 the state registrar and shall contain a part to be detached and

3 forwarded to the state registrar by the clerk of court as
4 hereinafter provided, and also a part to remain as a stub for the
5 record of the clerk of court, in addition to the marriage license
6 to be delivered to the applicant therefor.

1 Sec. 4. The clerk of court shall collect from the
2 applicant for said license an additional registration fee
3 of fifty cents (.50).

1 Sec. 5. The clerk of court shall, not later than
2 the third day of each month, forward to the state registrar that
3 portion of the license which is to be detached and forwarded to
4 him, and which shall contain in brief those facts set forth in
5 the license together with a statement of the name and address of
6 the person who is expected to perform the marriage ceremony,
7 and shall remit to the state registrar the fifty-cent fee
8 provided for in section four (4) of this act; provided, that in
9 the event no marriage license has been issued by the clerk of
10 court during the month he shall promptly notify the state
11 registrar to that effect on a blank provided for that purpose.

1 Sec. 6. The state registrar shall index all records
2 thus received and shall, when applied to, issue a certificate
3 copy of the same which shall be prima facie evidence in all
4 courts and places of the facts stated therein, and for which he
5 shall receive a fee of one dollar (\$1.00). He shall keep an
6 accurate account of all fees received from the clerks of courts
7 and all other sources and turn same over to the state treasurer
8 not later than the 15th day of each month, and shall file with

9 the state auditor a complete statement thereof. The fees thus
10 collected and turned over to the state treasurer shall be used
11 for the maintenance of the division of child hygiene in the state
12 board of health, and the auditor is authorized to draw his
13 warrants against such funds upon vouchers properly itemized and
14 sworn to for the payment of all salaries, necessary traveling,
15 office and other expenses; provided, that the amount so drawn
16 shall not exceed the amounts collected and turned in to the
17 state treasurer under the provisions of this act.

1 Sec. 7. Every judge, justice of the peace or
2 licensed preacher of the gospel authorized by law to perform
3 the marriage ceremony in this state shall endorse the marriage
4 license with his name, address and the date of performing the
5 marriage, and return the same within seventy-two hours
6 thereafter to the state registrar at Des Moines.

1 Sec. 8. Any clerk of court or person authorized by
2 law to perform the marriage ceremony in this state who shall
3 fail to comply with any of the provisions of this act shall be
4 deemed guilty of a misdemeanor, and upon conviction thereof
5 shall be punished by a fine of not more than one hundred
6 dollars (\$100.00), and the county attorney of any county when
7 presented with a statement of facts and circumstances shall
8 forthwith initiate and promptly follow up the necessary court
9 proceedings against the parties responsible for the alleged
10 violation of the law.

- 1 Sec. 9. That all laws and parts of laws in conflict
- 2 with this act are hereby repealed.