

Bill No. 64 of 1935.

A BILL TO AMEND THE SOLEMNIZATION OF
MARRIAGE ACT.

NOTE.

The amendment made by this Act requires each party to an intended marriage to make an affidavit that he or she is not infected with any venereal or communicable disease.

In the case of marriage by banns the affidavit must be delivered to the officiating clergyman before the marriage is solemnized. In other cases the affidavit must be delivered to the marriage license issuer before the issuance of the license.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 64 of 1935.

An Act to amend The Solemnization of Marriage Act.

(Assented to _____, 1935.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Solemnization of Marriage Act, 1935.*"

2. *The Solemnization of Marriage Act*, being chapter 39 of the Statutes of Alberta, 1925, is hereby amended as to section 4 thereof by striking out paragraph (b) thereof and by substituting therefor the following:

"(b) a certificate of the due publication of banns and in addition an affidavit by each party to the intended marriage setting out that the party making the affidavit is not then infected with any venereal disease or any other communicable disease, which affidavit shall be in Form E of the schedule to this Act;"

3. The said Act is further amended as to section 13 thereof by striking out subsection (1) thereof and by substituting therefor the following:

"(1) No issuer shall issue a marriage license until—
"(a) both of the parties to the intended marriage have made and delivered to him an affidavit in Form B in the schedule hereto; and
"(b) each of the parties to the intended marriage has delivered to him either an affidavit setting out that the party making the affidavit is not then infected with any venereal disease or any other communicable disease, which affidavit shall be in Form E in the schedule to this Act."

4. The said Act is further amended as to the schedule thereof by adding thereto the following new form:

"FORM E.

"THE SOLEMNIZATION OF MARRIAGE ACT.

"AFFIDAVIT OF HEALTH.

"I, _____, of _____,
in the Province of _____, do hereby make
oath and say, as follows:

"1. It is my intention to intermarry with _____,
of _____,

"2. I am not infected with any venereal disease or any other communicable disease.

"3. I have been informed that consequences of the gravest kind may result to the parties to a marriage and their offspring by reason of either party to the marriage being infected with any venereal disease.

"Sworn at....., in the Province of....., thisday of....., 19.....

"Before me

".....
"A Commissioner.

"(NOTE)

"A person may subscribe to this oath in case—

"(1) he has never had a venereal disease; or

"(2) if he has had a venereal disease and has been examined within the last fourteen days by a qualified physician registered in and for the Province of Alberta, and by such examination it has been established that he is no longer so infected; and

"(3) if he has ever had tuberculosis, it has been established by a sufficient examination made within the past two months by a qualified physician registered in and for the Province of Alberta, that he is no longer so infected.

"(By section 174 of *The Criminal Code of Canada* perjury is an indictable offence punishable by fourteen years' imprisonment.)"

5. This Act shall come into force on the day upon which it is assented to.

No. 64.

FIFTH SESSION
SEVENTH LEGISLATURE
25 GEORGE V
1935

B I L L

An Act to amend The Solemnization
of Marriage Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HOADLEY

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1935