

Public Law 93-465

AN ACT

October 24, 1974
[S. 2348]

To amend the Canal Zone Code to transfer the functions of the Clerk of the United States District Court for the District of the Canal Zone with respect to the issuance and recording of marriage licenses, and related activities, to the civil affairs director of the Canal Zone Government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of title 8, Canal Zone Code (76A Stat. 672), is amended to read as follows:

Canal Zone
Government.
Marriage li-
censes, issuance
and recording.

“§ 4. Marriage license; application; waiting period; medical certificate or court order; fee; record; period of validity

“(a) A marriage may not be celebrated in the Canal Zone unless a license to marry has first been secured from the Governor, or his designee. If both parties to a proposed marriage are residents of the Republic of Panama and neither is a United States citizen, a license may not be issued in the Canal Zone unless the parties have previously obtained a license to marry from the proper authorities in the Republic of Panama. A marriage license may not be issued to a leper except upon a certificate of approval by the health director of the Canal Zone Government. A license when issued shall be accompanied by a marriage certificate to be executed by the person celebrating the marriage.

“(b) The application for a marriage license shall state—

“(1) the name, address, legal residence, age, and date of birth of each of the persons to be married;

“(2) the relationship, if any, of the persons, by consanguinity or affinity; and

“(3) if either person has been previously married, the date and place of each previous marriage, the name of each former spouse, and the manner in which each previous marriage has been terminated.

“(c) Except as provided by subsection (d) of this section, the Governor, or his designee, shall issue a marriage license, after application therefor, if—

“(1) the application for the license is in accordance with subsection (b) of this section, and is accompanied by the written consent when required by section 2 of this title; and

“(2) it appears to the satisfaction of the Governor, or his designee, from the sworn statements of the persons desiring to marry, or, if required by the Governor, or his designee, from the sworn statement of another person, that no legal impediment to the marriage is known to exist.

“(d) The Governor, or his designee, may not issue a marriage license until—

“(1) the application therefor remains on file, open to the public, in his office, for three days before license is issued; and

“(2) each of the persons desiring to be married has presented and filed with him either a medical certificate indicating that the examination required by subchapter II of this chapter has been made, or an order from the district court, as provided by that subchapter, directing him to issue the license.

“(e) The Governor shall prescribe the form of the application for a marriage license, of the marriage license, and of the marriage certificate.

“(f) The Governor, or his designee, shall collect a fee of \$2 upon the issuance of a marriage license, and shall keep a record of all licenses issued and of all applications for licenses, together with any written

Fee.
Recordkeeping.

consent of parents or a parent or guardian or the health director accompanying the same.

“(g) A marriage license is valid for only thirty days, including the date it is issued.”

SEC. 2. Section 5 of title 8, Canal Zone Code (76A Stat. 673), is amended to read as follows:

“§ 5. Who may celebrate a marriage; license to celebrate

“(a) A marriage may be celebrated in the Canal Zone only by a—

“(1) magistrate of the Canal Zone;

“(2) minister in good standing in any religious society or denomination who resides in the Canal Zone; or

“(3) minister in good standing in any religious society or denomination who resides in the Republic of Panama, if he has procured from the Governor, or his designee, a license authorizing the minister to celebrate marriages in the Canal Zone.

“(b) The Governor, or his designee, shall issue the license provided for by paragraph (3) of subsection (a) of this section upon the submission, by a minister referred to therein, of a written application, together with a duly authenticated copy of his authority to celebrate marriages in the Republic of Panama. The Governor, or his designee, shall be paid a fee of \$5 for issuing and recording the license.”

Fee.

SEC. 3. Section 6 of title 8, Canal Zone Code (76A Stat. 673), is amended to read as follows:

“§ 6. Certifying, signing, return, and recording of license; marriage certificate

“(a) The judicial officer or minister celebrating a marriage shall—

“(1) certify upon the marriage license that he celebrated the marriage, giving his official title and the time when and place where the marriage was celebrated;

“(2) cause two persons who witnessed the marriage to sign their names on the marriage license as witnesses, each giving his place of residence;

“(3) at the time of the marriage, fill out and sign the marriage certificate accompanying the license and deliver it to one of the parties to the marriage; and

“(4) within thirty days after the date of the marriage, return the license, so certified and witnessed, to the office of the Governor, or his designee.

“(b) Upon return of a license as required by subsection (a) of this section, the Governor, or his designee, shall file it after making registry thereof in a book to be kept in his office for that purpose only. The registry must contain the Christian and surnames of the parties, the time of their marriage, and the name and title of the person who celebrated the marriage.”

SEC. 4. Section 8 of title 8, Canal Zone Code (76A Stat. 673), is amended to read as follows:

“§ 8. Acknowledgment and recording of declaration

“Declarations of marriage shall be acknowledged and recorded in the office of the Governor, or his designee.”

SEC. 5. Section 11 of title 8, Canal Zone Code (76A Stat. 674), is amended to read as follows:

“§ 11. Offenses and penalties

“(a) Whoever, being a judicial officer, minister qualified to celebrate marriages in the Canal Zone, or an officer or employee of the United States, violates section 4, 5, or 6 of this title, shall be fined not more than \$100 or imprisoned in jail not more than thirty days, or both.

Ante, pp. 1417,
1418.

“(b) Whoever knowingly makes a false oath as to a material matter for the purpose of procuring or aiding another to procure a marriage license is guilty of perjury and shall be imprisoned in the penitentiary not more than 10 years.

“(c) Whoever knowingly files with the Governor, or his designee, a written consent, any signature to which is a forgery, is guilty of uttering a forged instrument and shall be imprisoned in the penitentiary not more than fourteen years.

“(d) Whoever, not being qualified to celebrate marriages in the Canal Zone pursuant to this subchapter, celebrates what purports to be a marriage ceremony shall be imprisoned in the penitentiary not more than three years.”

SEC. 6. Section 34 of title 8, Canal Zone Code (76A Stat. 675), is amended to read as follows:

“§ 34. Marriage license, without medical certificate, because of pregnancy

“If a female applicant for a marriage license makes an affidavit to the effect that marriage is necessary because she is with child and that the marriage will confer legitimacy on the unborn child, the district court may hear and determine on medical testimony the question of pregnancy and, on adjudging that pregnancy exists, shall order the Governor, or his designee, to issue the marriage license if all other requirements of the law regarding the issuance of marriage licenses are complied with, even though the clinical examination and laboratory tests reveal that one or both applicants have syphilis infection. In its order, the court shall provide that the applicant or applicants having syphilis infection shall be treated for the infection as provided by the regulations referred to in section 33 of this title. A copy of the order shall be filed with the Governor, or his designee, in lieu of the medical certificate.”

SEC. 7. Subsection (a) of section 36 of title 8, Canal Zone Code (76A Stat. 675), is amended to read as follows:

“(a) If an applicant has been refused a marriage license by the Governor, or his designee, because of failure to obtain a medical certificate, the applicant may elect to file a protest and take the procedure authorized by this section or to take any other procedure.”

Protest.

SEC. 8. Item (4) of section 344 of title 3, Canal Zone Code (76A Stat. 62), is repealed, and items (5), (6), (7), and (8) shall be redesignated (4), (5), (6), and (7) respectively.

Repeal.

SEC. 9. The analysis of chapter 1 of title 8, Canal Zone Code (76A Stat. 671), is amended by striking out in the item relating to section 5 “marriages;” and inserting in lieu thereof “a marriage;”.

SEC. 10. All records of marriages in the custody of the clerk of the United States District Court for the District of the Canal Zone shall be transferred to the Governor, or his designee, within ninety days after the date of enactment of this Act.

Records, transferred to Governor.

Effective dates.

SEC. 11. The amendments and repeals made by this Act shall become effective upon the expiration of ninety days after the date of enactment, except that section 10 shall become effective on the date of enactment.

Approved October 24, 1974.

Public Law 93-466

AN ACT

October 24, 1974
[S. 605]

To amend the Act of June 30, 1944, an Act "To provide for the establishment of the Harpers Ferry National Monument", and for other purposes.

Harpers Ferry
National Historical
Park, W. Va.
Additional
lands authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 30, 1944 (58 Stat. 645; 16 U.S.C. 450bb), an Act "To provide for the establishment of the Harpers Ferry National Monument", is amended as follows:

Publication in
Federal Register.

(1) In section 1, the first sentence is amended to read: "That, in order to carry out the purposes of this Act, the Secretary of the Interior is authorized to acquire lands or interests in lands, by donation, purchase with donated or appropriated funds, or exchange, within the boundaries as generally depicted on the drawing entitled 'Boundary Map, Harpers Ferry National Historical Park', numbered 385-40,000D and dated April 1974, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior: *Provided*, That after advising the Committees on Interior and Insular Affairs of the Congress of the United States, in writing, the Secretary may make minor revisions in the boundary, when necessary, by publication of a revised drawing or other boundary description in the Federal Register, but the total acreage shall not exceed two thousand acres: *Provided further*, That nothing herein shall be deemed to authorize the acquisition, without consent of the owner, of a fee simple interest in lands within the boundaries in which a less than fee interest has previously been acquired by the Secretary of the Interior."

16 USC 450bb-2.

(2) In section 3, delete the word "and" at the end of paragraph (1); change the period at the end of paragraph (2) to a semicolon and add "and"; and add the following new paragraph:

Interpretive
shuttle transporta-
tion service.

"(3) Provide, directly or by contract, subject to the provisions of the Act of June 7, 1974 (88 Stat. 192; 16 U.S.C. 4601-6a) an interpretive shuttle transportation service within, between, and among lands acquired for the purpose of this Act for such times and upon such terms as in his judgment will best accomplish the purposes of this Act."

16 USC 450bb
note.
Appropriation.

(3) Revise section 4 to read as follows:

"In addition to such sums as have heretofore been appropriated, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than \$1,300,000 for the acquisition of lands and interests in lands, and not more than \$8,690,000 for development."

Approved October 24, 1974.