

HOUSENo. 1235.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, March 26, 1902.

The joint committee on the Judiciary, to whom was referred the petition (with accompanying bill, House, No. 1009) of H. Huestis Newton for legislation relative to the relation of husband and wife and to their issue, report the accompanying bill.

For the Committee,

H. HUESTIS NEWTON.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Two.

AN ACT

Relative to the Issue of Void Marriages.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. If a marriage is declared void by reason
2 of a prior marriage of either party and the court finds
3 that the second marriage was contracted with the full
4 belief of the party who was capable of contracting the
5 second marriage, that the former husband or wife was
6 dead, or that the former marriage was void, or that a
7 divorce had been decreed which left the party to the
8 former marriage free to marry again, such finding shall
9 be stated in the decree, and the issue of the second mar-
10 riage, if born or begotten before the second marriage
11 was declared void, shall be the legitimate issue of the
12 parent capable of contracting the marriage.

1 SECTION 2. Section fourteen of chapter one hundred
2 and fifty-one of the Revised Laws is hereby repealed.

1 SECTION 3. This act shall take effect upon its passage,
2 and it shall apply to proceedings pending upon or in-
3 stituted after its passage, although such second marriage
4 may have been contracted before its passage.