

Chapter 51.

Marriage.

Article 1.

General Provisions.

§ 51-1. Requisites of marriage; solemnization.

A valid and sufficient marriage is created by the consent of a male and female person who may lawfully marry, presently to take each other as husband and wife, freely, seriously and plainly expressed by each in the presence of the other, either:

- (1) a. In the presence of an ordained minister of any religious denomination, a minister authorized by a church, or a magistrate; and
- b. With the consequent declaration by the minister or magistrate that the persons are husband and wife; or
- (2) In accordance with any mode of solemnization recognized by any religious denomination, or federally or State recognized Indian Nation or Tribe.

Marriages solemnized before March 9, 1909, by ministers of the gospel licensed, but not ordained, are validated from their consummation. (1871-2, c. 193, s. 3; Code, s. 1812; Rev., s. 2081; 1908, c. 47; 1909, c. 704, s. 2; c. 897; C.S., s. 2493; 1945, c. 839; 1965, c. 152; 1971, c. 1185, s. 26; 1977, c. 592, s. 1; 2000-58, ss. 1, 2; 2001-14, ss. 1, 2; 2001-62, ss. 1, 17; 2002-115, ss. 5, 6; 2002-159, s. 13(a); 2003-4, s. 1; 2005-56, s. 1; 2007-61, s. 1; 2009-13, s. 1; 2012-194, s. 65.4(a).)

§ 51-1.1. Certain marriages performed by ministers of Universal Life Church validated.

Any marriages performed by ministers of the Universal Life Church prior to July 3, 1981, are validated, unless they have been invalidated by a court of competent jurisdiction, provided that all other requirements of law have been met and the marriages would have been valid if performed by an official authorized by law to perform wedding ceremonies. (1981, c. 797.)

§ 51-1.2. (See Editor's note) Marriages between persons of the same gender not valid.

Marriages, whether created by common law, contracted, or performed outside of North Carolina, between individuals of the same gender are not valid in North Carolina. (1995 (Reg. Sess., 1996), c. 588, s. 1.)

§ 51-2. Capacity to marry.

(a) All unmarried persons of 18 years, or older, may lawfully marry, except as hereinafter forbidden.

(a1) Persons over 16 years of age and under 18 years of age may marry, and the register of deeds may issue a license for the marriage, only after there shall have been filed with the register of deeds a written consent to the marriage, said consent having been signed by the appropriate person as follows:

- (1) By a parent having full or joint legal custody of the underage party; or
- (2) By a person, agency, or institution having legal custody or serving as a guardian of the underage party.

Such written consent shall not be required for an emancipated minor if a certificate of emancipation issued pursuant to Article 35 of Chapter 7B of the General Statutes or a certified copy of a final decree or certificate of emancipation from this or any other jurisdiction is filed with the register of deeds.

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North Carolina



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General Statutes of North Carolina Annotated North Carolina,2006 The General Statutes of North Carolina North Carolina,1944 *Consolidated Statutes of North Carolina, Prepared Under Public Laws 1917, Chapter 252, and Public Laws 1919, Chapter 238* North Carolina,1920 **A Manual of Laws, Regulations, and Institutions for Control of Ground Water Pollution** National Water Well Association. Model Law Task Force Committee,1976 **Laws and Resolutions of the State of North Carolina** North Carolina,1921 *Code of Federal Regulations* ,1993 Special edition of the Federal register containing a codification of documents of general applicability and future effect as of July 1 with ancillaries

Journal North Carolina. General Assembly. Senate,1925 Session Laws and Resolutions North Carolina,1921

Board Contracts, Stock Selling and Promotion Schemes Association of Life Insurance Presidents (New York, N.Y.),1914

The Life Extension Institute Irving Fisher,1914 *North Carolina Reports* North Carolina. Supreme Court,1930

Cases argued and determined in the Supreme Court of North Carolina The Chicago Legal News ,1916 **Public Laws and Resolutions of the State of North Carolina Passed by the General Assembly** North Carolina,1921 **Clio at the Table** Kenneth K. Wong,Robert Rothman,2009 This series explores the history of schools and schooling in the United States and other countries The series will examine the historical development of schools and educational processes with special emphasis on issues of educational policy curriculum and pedagogy as well as issues relating to race class gender and ethnicity Special emphasis will be placed on the lessons to be learned from the past for contemporary educational reform and policy Although the series will publish books related to education in the broadest societal and cultural context it especially seeks books on the history of specific schools and on the lives of educational leaders and school founders **Digest of the Decisions of the Courts of Last Resort of the Several States from 1887 to [1911]: Municipal corporations to Yellows** Edmund Samson Green,1904 **The North Carolina Code of 1927** North Carolina,1928 *Digest of the Reports and Statutes of the State of New York from Jan. 1, 1890, to Jan. 1, 1897* Willard Smith Gibbons,1898 Digest of the Decisions of the Courts of Last Resort of the Several States from 1887-[1911], Contained in the American State Reports, Volumes 1 to [140], Inclusive, and of the Notes to the Cases Reported Therein: Municipal corporations to Yellows Edmund Samson Green,1904 *Public Laws and Private Laws of the State of North Carolina (other Slight Variations)* North Carolina,1921 **EPA-440/9** ,1976-06

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