Documenting Marriages in Georgia

Colonial Period through the 20th Century

Introduction

This guide is intended to provide researchers with information on the various types of marriage records found in Georgia. The first part of the guide is a listing of the types of marriage documents, including descriptions of their informational content and definitions of some of the terms used with the records. The second part of this guide is a chronological listing of significant legislation relating to marriages that was enacted in Georgia 1785-1979. There was no marriage legislation relative to marriages in the 20th century after 1979.

Marriage records for most Georgia counties are available on microfilm at the Georgia Archives through 1900. For many counties, the marriage books that were microfilmed extend into the twentieth century; in some cases they extend well into the mid-twentieth century. Some original marriage licenses are housed in the Archives. Generally, information concerning post-1900 marriages is available from the probate courts of the individual counties.

Information about visiting the Archives can be found on our website at *www.GeorgiaArchives.org/visit*

Definitions

Marriage banns are public notices stating that a man and a woman have plans to marry on a certain date; reading them aloud brought the matter to public attention. State laws dating from 1789 refer to the publication of marriage banns in a church for at least three times in a public place of worship. A justice or minister was authorized to marry a couple if they had been granted a marriage license or if marriage banns had been published; in 1863 he was required to certify to the ordinary that the marriage was performed. Legislation passed in 1863 also stipulated that banns shall be published for "at least three Sabbath days." The ordinary was to record the certification of a marriage after banns in the book with the marriage licenses. One may expect to find few, if any, references to marriage banns, either in county marriage books or church minute books.

Marriage notices are in some cases published in newspapers, usually announcing a marriage that already has taken place. One should not expect to find a marriage notice for most pre-1900 Georgia marriages. Those that do exist are found most frequently in the newspapers of major towns and cite usually name of bride and groom, county or town of residence, and date of marriage.

Guide to Abbreviations

Marriage documents contain signatures of various officials who participate in the marriage bonding, licensing, performing, certifying, and recording processes. In many but not all cases, the official's name is followed by initials that indicate his office or position.

Do not expect to find the signatures of the bride and groom on most marriage documents. A groom, bound to a county official in a marriage bond, is expected to sign his bond papers. When transcribing or recording this record his name may be followed by the sign "L.S." that indicates the original record contained his signature or mark.

CC; CCO; CO—Clerk of the Court; Clerk of the Court of Ordinary; County Ordinary. The term "ordinary" is most often used to indicate the name of the county official whose duties included the issuing of marriage bonds and granting of marriage licenses. (Example: CCOFC—Clerk of the Court of Ordinary of Fulton County.)

DC; DCO—Deputy Clerk; Deputy Clerk of the Court of Ordinary. A deputy may grant marriage licenses and record marriages in absence of the clerk of the court of ordinary. There are infrequent references to a deputy clerk.

EOC—Ex-officio Clerk. An ordinary may act as his own clerk, even though those powers are not specifically conferred upon him; they are necessarily implied in his office.

JIC—Justice of the Inferior Court. Justices may perform marriages. Likewise, a justice of the inferior court may sign a marriage certificate indicating he married a particular man and woman. (Example: JICRC—Justice of the Inferior Court of Richmond County.)

JP—Justice of the Peace. With regard to performing and certifying marriages, a justice of the peace has the same authority as a minister or a justice of the inferior court. However, the performing of marriages by justices of the peace and ministers is more frequent than by justices of the inferior courts.

L.S.—*Locus Sigilli*. In place of the seal; the place occupied by the wax seal or an impressed wafer. In more modern records, the sign L.S. or the word “seal” is made in lieu of an actual seal to attest the execution of an instrument.

MG—Minister of Gospel. Ministers, like justices and judges, may join persons in marriage and, in the same manner, certify that the marriage was performed.

RP—Register of Probates. Before approximately 1800, the register of probates handled estate settlements, marriage records, and other matters. These duties became the responsibility of the ordinaries.

Court Records

Ordinary Court

Marriage licenses. The most standard record of a marriage is the marriage license. The purpose of the license is to insure that the law is upheld with regard to who may marry, such as persons of lawful age and persons not having a close family relationship to one another. The license is issued by a public official to persons who intend to marry and grants permission to anyone authorized to solemnize marriages to perform the ceremony. In addition to the names of the prospective bride and groom, the date of the license and the name of the county ordinary or other official granting the license are included. Usually the marriage was performed a few days after the granting of the license. Most extant marriage records consist of the recorded copies of marriage licenses, which also contain the minister's or justice's statement of certification. Marriage licenses are on record roughly from 1785 to the present.

Marriage certificates. A marriage certificate confirms a marriage and is signed by the person officiating at the marriage. Legislation passed in 1805 required that the justice, judge, or minister who married a couple record on the license that the marriage was performed and the date of the marriage. The certification cites the names of the bride and groom, date of marriage, and name of the person who states that he has fulfilled the requirements of the license; it is legal evidence that the marriage occurred. In some cases, there is no indication of whether that person is a justice or a minister. The 1805 law also required that the license be returned to the ordinary and that the ordinary enter this information into a record book. Interpretations of this law varied from county to county. In many cases, a county's earliest book of marriages begins in 1805 or 1806. In other cases, where marriages were already being recorded, an ordinary may make no change in his record keeping; one may not find the marriage certificate information recorded until a new marriage book is begun or a new ordinary takes office. In a few cases, the county ordinary recorded data from the loose marriage licenses into a book by arranging the information in register or chart form. With these registers each marriage is allotted one line in the book, citing names of bride, groom, and date, and (after 1805) the date married and by whom. One county utilized this system from 1807 to 1896 and another from 1794 to 1814. In most counties, however, the information on marriage licenses is recorded word-for-word into the marriage book. A marriage certificate may be a lavishly decorated document or a simple statement handwritten at the bottom of a marriage license. Most marriage certificates are recorded at the bottom or on the back of the marriage license.

Marriage bonds. The intent of a marriage bond is to protect the register of probates

or ordinary from liability of authorizing an unlawful marriage. In a bond, the groom binds himself to the court, attesting that there should be no lawful impediment to the marriage. The information recorded in most marriage bonds includes: names of two persons binding themselves to the register of probates or ordinary (usually the groom and another man), date of the bond, amount of the bond (usually substantial), name of the bride and groom to be married, and conditions of the obligation. Marriage bonds were recorded from the colonial period into the 1840s, but few of these early marriage bonds exist. Those from the colonial period are found in books recording miscellaneous legal documents.

Parental consent form. Various laws refer to persons "of lawful age" being entitled to marry, without specifically stating that age. In 1846, Cobb's digest of laws stated that persons must be aged twenty-one to marry or, with the consent of parents, males can marry at age fourteen and females age twelve. In 1863, Clark's digest stated that the male can marry at seventeen years and the female at fourteen years. A parent's consent for a minor child to marry may be granted to the county ordinary. The permission had to be in writing. Very few of these records exist and are found among loose marriage licenses. Consents may cite the minor's name and age, date, and name of county and of ordinary, and must bear the parent's signature. A crude version of such a record may simply record a father's permission for a young man to wed his daughter, citing names and date. In 1972 the legal age of majority in Georgia was changed to eighteen. A law passed in 1979 established that a person must be at least sixteen to contract marriage and parental consent was required if either or both applicants were under eighteen.

Marriage application. In 1924, Georgia law called for a prospective bride and groom to apply for a marriage license and for the county ordinary to post and file such application. Information concerning applications is available from the probate courts of the individual counties. The Georgia Archives does not have marriage applications.

Superior Court

Marriage settlement (or marriage contract or prenuptial agreement). A marriage contract is a legal agreement prior to a marriage. The title to certain property is "settled" or limited to one or the other of the marriage partners, being fixed to a certain order of succession. Usually, the object is to provide for the wife and children, and so specific property belonging to the prospective bride remains her separate property. This agreement is in the nature of a conveyance in which a third party is named to serve as trustee, in whom title of the property is vested for use of the wife. Marriage contracts are on record from colonial times through the present day. Those from the colonial period are found in colonial conveyance records and miscellaneous records. Cobb's digest in 1846 stated that marriage contracts are used less frequently in this country than in England, but encouraged their use when a woman owns valuable property in her own right. The records bear out the infrequent use of the marriage

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State Board of Health

Vital Records. In 1875, the State Board of Health was created and charged with registering births, marriages, and deaths. These marriage registrations include the names of the bride and groom, their ages, "color," place of birth, their parents' names, by whom married, and date of marriage. Before the institution of marriage applications in 1924, this is the only marriage record that records more than the names of the bride and groom, date, and name of official. There are very few of these records, and they exist only for 1875-1876. The Georgia Archives has marriage registrations on microfilm for these fourteen counties: Carroll (1875), Chattooga (1875-76), Clayton (1875), Colquitt (1875), Early (1876), Jackson (1875-76), Lincoln (1875), Lumpkin, (1875-76), McIntosh (1875), Miller (1875-76), Muscogee (1876), Richmond (1875-76), Sumter (1875-76), Taliaferro (1875-76).

Significant Legislation

Editorial Notes are furnished in parentheses.

1785, Act 307 (Watkins, p. 314)

Recognizes that marriages have been performed by justices of the peace and ministers of the gospel previous to this time and renders them lawfully valid.

Justices of the peace or ministers of the gospel are authorized after eight days of public notice, by license of the governor or by license of the register of probates, to marry any persons enabled to enter into a marriage contract.

Sets fine of £500 for anyone performing a marriage without public notice or license.

1789, Act (Watkins, p. 415; Marbury & Crawford, p. 218)

Register of probates in each county shall grant marriage licenses.

Sets fine at £100 for anyone performing a marriage without a license or publication of banns.

Any minister of the gospel or justice of the peace can join persons of lawful age and authorized by Levitical degrees. *Under English law all marriages were made lawful between persons not within the Levitical degrees of kinship. This excluded marriages between relatives in the direct line and in the collateral line to the third degree, including both the whole and the half blood. These relationships that preclude marriage were presumably fixed by the Levitical priesthood of the Jews and are set forth in the eighteenth chapter of Leviticus (a part of the Jewish Torah and Christian Bible).*

It shall be lawful for minister or justice to marry persons who have had the banns of marriage published three times in some public place of worship.

1789, Act (Watkins, p. 475)

Registers of probate are authorized to charge four shillings and eight pence for every marriage license issued. *Rate of exchange in the year 2000 is seventeen dollars.*

1798 Constitution (Watkins, p. 40; Marbury & Crawford, p. 28; Prince 1820, p. 557)

Provides that "the powers of a Court of Ordinary or Register of Probates shall be vested in the Inferior Courts of each county."

The clerk of the inferior court may grant marriage licenses.

1799, Act (Marbury & Crawford, p. 220; Prince 1820, p. 159; Prince 1837, p. 231)

Expands the categories of authority who may be directed by the ordinary to join persons in marriage to include any judge, justice of the inferior court, justice of the peace, or minister of the gospel.

Fine is changed to $500 for marrying a couple without a license or banns.

1805, Act 198 (Clayton, p. 261; Prince 1820, p. 166; Prince 1837, p. 237)

Officials must record on the marriage license that the marriage was actually performed ("make a

return on the marriage license") and the date performed ("solemnized").

License and required information to be returned to the clerk of the court of ordinary.

Clerk of the court of ordinary to record all information found on the license, as well as the date the actual marriage was performed, in a book kept for that purpose. Marriage book evidence of marriage recorded within.

Clerk may charge twenty-five cents for recording marriage, payable when license is granted. *Approximate rate of exchange in the year 2000 is seventeen dollars.*

1817 Penal Code (Lamar, pp. 639-40; Prince 1820, p. 365)

Prohibits bigamy and incest. Sets forth terms of sentence, if convicted.

Prohibits cohabitation among a man and woman not married to one another, who were living "together in an open state of adultery and/or fornication" or in any "circumstances which raise the presumption of cohabitation and unlawful intimacy."

1833 Penal Code (Cobb 1851, pp. 814-15, 818-19; Prince 1837, pp. 231-237)

Calls for a minister of the gospel, judge, justice of the inferior court, or justice of the peace to be fined from $100 to $500 if found guilty of:

marrying persons without a marriage license or the publication of banns

marrying persons who, in his knowledge, are idiots, lunatics, or "subject to any other disability which would render such contract or marriage improper and void."

1846 (H. Cobb, *Analysis of the Statutes in Georgia*, pp. 283-84)

Cobb renders an interpretation of a valid marriage. He states that no marriage becomes void that is celebrated by a minister in a church or chapel; in pursuance of banns or a license; and between single persons who are consenting and of sound mind, the age of twenty-one years or of the age of fourteen in males and twelve in females with consent of parents or guardians.

1847 Ga. Laws, p. 57

All marriage agreements or settlements to be recorded within three months from their execution in the clerk's office of the superior court of the county of the husband's residence.

All marriage agreements or settlements previously executed within this or any other state or territory shall be recorded within twelve months after the passage of this act in the clerk's office of the superior court of the county of the residence of the husband.

1849-50 Ga. Laws, pp. 69, 117

Clerks of courts of ordinary to grant and direct marriage licenses "to any Jewish minister or other person authorized to perform the marriage ceremony between Jews."
Authorizes Jews to be married according to their own practices.

The powers of a court of ordinary or register of probates shall be vested in an ordinary for each county; the ordinary as clerk, or his deputy, may grant marriage licenses.

1863 Ga. Laws, p. 48

Paragraph 1658 of Code repealed, which provided for obtaining license from the proper authority or a publication of the banns of marriage in a neighboring church, in the presence of the congregation, for at least three Sabbath days prior to its solemnization.

All marriages heretofore solemnized, not in conformity with the provisions of the before-recited law, shall be valid. Nothing shall excuse any ordinary, judge, justice, or minister of the gospel, for any non-performance of duty when acting under the original law.

[Note] The repeal of this section of the Code does not dispense with license, as would seem by the repeal of the whole section, as other sections provide for license, and it was "manifestly designed to repeal only the part referring to publication of banns." *The return of marriage banns to the ordinary (now probate judge) was not repealed and remains in effect as O.C.G.A. § 19-3-39.*

1863 Code (Clark et al., pp. 330-33, 342-46, 512, 549, 859)

This code, which officially went into effect January 1863, compiles then-existing legislation and presents a complete summary of marriage laws that were in effect in 1861. The following topics are covered:

Marriage Settlements, p. 342-44

Section 1724 – Sets forth terms concerning prenuptial agreement between husband and wife, including the provision that no set form is necessary to make the contract valid.

Section 1727 – Provides that every marriage contract and every voluntary settlement made by the husband or the wife be recorded in the office of the clerk of the superior court of the county of the residence of the husband within three months after the execution of the agreement.

Section 1728 – Allows for the wife to apply to the judge of the superior court, if the husband or trustee does not have the contract or settlement recorded and for such application to be recorded in the superior court minutes, such recorded application being "equivalent to the record of the marriage contract or trust deed."

Section 1728 – Provides that wife may petition a superior court judge to appoint or replace trustee, with reference to record in superior court minutes.

Marriage Licenses and Banns, pp. 331-32

Marriage License Procedures – Ordinary inquires of age of persons requesting license (oral inquiry); obtains consent of guardians or parents if necessary; insures female is not "domiciled in another county"; issues license to judge, justice, or minister, or upon request, "Jewish minister" or other person of any religious society or sect to marry persons; requires same to return license to ordinary with certificate as per date; and records same in book.

Marriage Banns Procedures – Banns of marriage are published in "neighboring church ... for at least three Sabbath days"; judge, justice, or minister marries persons whose banns have been published; judge, justice, or minister certifies the fact, along with other marriage data, to the ordinary of the county where the banns were published; ordinary shall record the same in the book in which marriage licenses are recorded.

Fine of $500 – Fine set for any license issued contrary to the above requirements or for any marriage performed without license or banns.

Marriage With Regard to Blacks, p. 333.

Section 1664 – Prohibits marriage between white persons and black persons or mulattos.

Section 1665 – Allows marriages between free persons of color without a license or the publication of marriage banns.

Minors, pp. 331-32, 346, 512.

Section 1742 – The age of legal majority in this State is twenty-one years; until that age all persons are minors.

Section 1744 – Until majority, the child remains under control of the father. Paternal power is lost by his consent to the marriage of the child.

Section 2696 – Marriage contracts and settlements made by infants (minors) but of lawful age to marry, are binding, as if made by adults.

Section 1654 – To contract marriage: male age seventeen, female age fourteen. *To contract marriage is to agree to marry, as distinguished from a marriage settlement, which generally is an agreement in the form of a conveyance rather than a contract. At this age, parental consent is required (however, see 68 Ga. 803 where presiding judge in Richmond County determined in 1881 that marriage of a specific female minor over fourteen years old and under eighteen was valid though parents did not consent; judgment affirmed by Justice Crawford in 1882).*

Section 1661 – If ordinary suspects that the female requesting a marriage license is a minor under the age of eighteen years, he shall refuse to grant the license until written consent of the parent or guardian is produced and filed in his office. *This provision acknowledged that many persons who have reached the age of majority actually appear to be younger. The ordinary was provided a three-year margin of error.*

Cohabitation, pp. 549, 859

Section 2949, 2950 – Husband has a right of action against another for abducting or harboring his wife. Adultery with a wife gives a right of action to the husband. Proof of the marriage may be made by general reputation, the parties living together as man and wife. Furnishing shelter and food to a wife driven from her home by cruel treatment is an act of humanity and gives no right to the husband.

Section 4418 – The seduction of an unmarried daughter who is living with her parent gives a right of action to the parent.

Section 4419 – Living together in a state of adultery or fornication is illegal.

Valid marriages, pp. 331-32

Section 1653 – To constitute a valid marriage there must be (1) parties able to contract, (2) an actual contract, and (3) consummation according to law.

Section 1654, 1656 – Persons who contract marriage must be of sound mind, be a male at least seventeen years of age and a female at least fourteen years of age, not have a previous marriage undissolved, not be related by blood too closely [see Section 1655], and do so without fraud or contrivance (including impotency). Marriages of persons unable to contract, unwilling to contract, or fraudulently induced to contract are void. The issue of such marriages are legitimate.

Section 1655 – Specifically lists relatives who may not marry. A man may not marry blood relatives within the fourth degree nor his stepmother, mother-in-law, uncle's widow, daughter-in-law, stepdaughter, wife's granddaughter. The corresponding relatives apply for a woman.

Section 1658, 1659 – There must be either a license granted by the ordinary where the female resides or a publication of the banns of marriage in a neighboring church in the presence of the congregation for at least three Sundays prior to the marriage.

Section 1667 – A marriage valid in other respects shall not be affected by a want of authority in the minister or justice to solemnize the same.

Section 1668 – Marriages solemnized in another state by parties residing in Georgia have the same legality as if solemnized in Georgia; residents cannot evade any of the provisions of marriage law by going into another state for the marriage ceremony.

1865 Constitution

Art. V, Sec. 1, par. 9 – Miscegenation [“amalgamation,” Lester et al. 1882, p. 393] not lawful. Marriage between white persons and persons of African descent is forever prohibited, and such marriages shall be null and void.

1865-66 Ga. Laws

Page 28 – Repeals Section 1655 of the Code of Georgia (which prohibited the marriage of persons within the fourth degree of consanguinity).

Page 240 – Persons of color living together as husband and wife are declared legally married, unless a man shall have two or more reputed wives or a woman two or more reputed husbands. In such case the man shall select one of his reputed wives with her consent or the woman one of her reputed husbands with his consent, and a marriage ceremony should be performed.

Page 241 – Any official who knowingly issues a license to parties when either is of African descent and the other a white person, or if any official or minister shall marry such persons together, he shall be guilty of a misdemeanor.

Page 244 – Legalizes marriage between first cousins who were married since December 11, 1863, and relieves them from any penalties they may have incurred under previous laws.

Page 244 – Marriages made in good faith during the recent suspension of civil law, publicly made and the parties living together as husband and wife, are legalized and declared valid and binding from the date of the solemnization thereof. *Legislators recognized that civil law was suspended in parts of the state for several years during the Civil War. Marriage licenses were obtained from certain persons who assumed the right to issue them when they were not legally authorized to do so.*

1866 Ga. Laws, p. 156

Marriages heretofore performed by ministers of African descent between freedmen and freedwomen and persons of African descent are declared legal and valid.

Lawful for ministers of the gospel of African descent to perform marriages "between freedmen and freedwomen, or persons of African descent only, under the same terms now required for marriages between free white citizens.”

1868 Ex. Ga. Laws, p. 150

Where a divorce decree authorized only one of the parties to marry again, but the other party nevertheless has married, then all such marriages are legalized.

1875 Ga. Laws

Page 19 – Marriages between persons related by affinity in the following manner are prohibited: a man shall not marry his stepmother, mother-in-law, daughter-in-law, or stepdaughter, or grand-daughter of his wife. A woman shall not marry here corresponding relatives. Marriages within the degrees prohibited considered incestuous.

Page 34 – Called for a State Board of Health to supervise a statewide system for registration of births, marriages, and deaths. *Few counties complied with this law, and even fewer citizens within those counties reported the required information. This effort was funded by the legislature for two years, and very few records were collected.*

1895 Code (Hopkins et al. vol. 2, p. 221)

Section 2411 – Contracting, not cohabiting, makes marriage. Such contracting, however, may be by mere agreement to live together as man and wife. (Cites 84 Ga. 466 and 84 Ga. 445)

1914 Code (Park vol. 2, p. 1423)

To constitute a valid marriage contract of marriage may be inferred from proof of cohabitation and the parties holding themselves out as man and wife. (Cites 130 Ga. 161 and 130 Ga. 168)

Noncompliance with statutory provisions does not render marriage invalid where it was deliberately entered into ***per verba de præsenti***. (Cites 30 Ga. 173, 64 Ga. 662, 84 Ga. 440, and 130 Ga. 161) *Literally, "by words of the present." In old English law, this also was known as a "spousal." It is an orally-contracted marriage, and neither party making it can marry another person without legal separation.*

1924 Ga. Laws, pp. 53-55

Requires license to nonresident female to be issued by ordinary of the county in which ceremony is to be performed.

Return of license and certificate by officiating persons to be made to ordinary within thirty days after ceremony.

Requires an application in writing with answers provided under oath as to name; residence (city, county, and state); age; relationship; white or colored; divorced, when, where, and upon what grounds; date and place of contemplated marriage; and parents' residence and nationality.

Directs the ordinary to post a notice in his office, giving names and residences of the parties applying for license and the date of the application; no license to be issued earlier than five days following the date of the application. Judge of the Court having probate jurisdiction may authorize the license to be issued at any time before the expiration of said five days in case of emergency or extraordinary circumstances.

1927 Ga. Laws

Page 225. Amends 1924 legislation to state posting of notice of application for marriage is required only as to minors who have not arrived at the age of twenty-one years. Applicants to furnish birth

certificates or affidavits from at least two persons showing the ages of both parties to be twenty-one years of age, or over. Posting of the notice may be dispensed with in the case parent or guardian of the female appears in person before the ordinary and consents in writing to the issuance of the license.

Page 225. Ordinary to forfeit the sum of $500 for every action that does not meet the law.

Page 226. Written application for marriage licenses shall be supported by affidavits of two reputable citizens as to truth of information in the application.

Pages 272-279. Enacts broadened definition of persons of color and provides a system of registration for accomplishing the principal purpose of preventing intermarriage between white persons and persons of color. Directs the State Board of Health to supervise the preparation of a detailed form for the mandatory registration of individuals by local registrars as to racial composition of parents and other ancestors. Provides for imprisonment of any person who makes false registration and for investigation by the state attorney general into any birth certificate recorded showing the birth of a legitimate child to parents one of whom is white and one of whom is colored. *This legislation was codified as Chapter 53-3 Registration of Individuals as to Race. However, no appropriation to carry the chapter into effect, nor any attempt to put the legislation into operation, was ever made. In 1974 the Georgia Code Annotated (Code of 1933) stated that this chapter "appears to be a dead letter."*

1939 Ga. Laws, p. 221

Confirms that the ordinary and his bondsman are not responsible for any alleged violation involving marriages in which both parties are more than eighteen years of age.

1949 Ga. Laws, p. 1054

Requires standard serologic test (blood test) of all applicants before the issuance of a marriage licenses and specifies that the test and laboratories that make the test shall be approved by the Georgia Department of Public Health.

1958 Ga. Laws, p. 214

Provides for a waiting period of three days following the application of a marriage license, except in cases where both parties to the marriage of at least twenty-one years of age.
Eliminates waiting period in cases where the proposed wife is pregnant, providing that the proposed wife executes an affidavit to the fact that she is pregnant, regardless of the age of either party.

1962 Ga. Laws, pp. 138,139

Code section 53-102 amended relating to the capacity of persons to contract for marriage. A person must at the time of application for a marriage license furnish documentary evidence of proof of age; if a male, at least eighteen years of age, and if a female, at least sixteen years. Limitations shall not apply upon proof of pregnancy on the part of the female, in which case the parties may contract marriage regardless of age.

1965 Ga. Laws, pp. 335-337

Provides that where either or both of the applicants are underage, parental consent of each such underage applicant must be shown to the ordinary (in the absence of proof of pregnancy on the part of the female).

1968 Ga. Laws, p. 1337

Marriage is prohibited between persons related, either by blood or by marriage as follows: father and

daughter or step-daughter, mother and son or stepson, brother and sister of the whole blood or the half blood, grandparent and grandchild, aunt and nephew, or uncle and niece. To do so shall be punished by imprisonment for not less than one or more than three years.

1972 Ga. Laws, pp. 193-199

The legal age of majority in Georgia is established as eighteen years; until that age all persons are minors or infants (i.e., not adults). In the case of an individual who is in Georgia for the purpose of attending school, that individual will be considered to be a resident of the state in which his parents reside if under the laws of that state the individual would still be considered a minor and he is incapable of proving his emancipation. All laws relating to the application for marriage licenses are amended. Additionally, all references to "twenty-one" are to be stricken where they appear in all laws of the state referring to the required age for majority, and "eighteen" inserted.

1979 Ga. Laws

Page 872 – To contract marriage a person must be of sound mind and at least sixteen years of age, a previous marriage must be dissolved, and nearness of relationship must not be prohibitive. If either applicant is under the age of majority, parental consent shall be required. In cases where either or both of the applicants have not yet reached the age of sixteen years, the underage applicant(s) must submit evidence that the female is pregnant or evidence that both applicants are parents of a living child born out of wedlock, in which case the parties may be issued a marriage license immediately.

Pages 948, 949 – Repeals code Chapter 53-3 that was enacted in 1927 and which chapter required the state Board of Health to register all individuals according to their racial composition. Also repeals sections relating to the prohibition of miscegenation and regarding who may perform colored marriages. Also repeals sections relating to the criminal penalties invoked for allowing miscegenation to occur, for certain false statements regarding race or color in application for marriage licenses, for performing certain marriage ceremonies illegally, for refusal to execute racial registration certificates, for false registration, and upon the ordinary's noncompliance with racial registration laws; also repealed section relating to the definition of persons of color.

There was no legislation relative to marriages in the twentieth century after 1979.