

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-108

Every judge, retired judge, clerk magistrate, or retired clerk magistrate, and every preacher of the gospel authorized by the usages of the church to which he or she belongs to solemnize marriages, may perform the marriage ceremony in this state. Every such person performing the marriage ceremony shall make a return of his or her proceedings in the premises, showing the names and residences of at least two witnesses who were present at such marriage. The return shall be made to the county clerk who issued the license within fifteen days after such marriage has been performed. The county clerk shall record the return or cause it to be recorded in the same book where the marriage license is recorded.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-109

In the solemnization of marriage no particular form shall be required, except that the parties shall solemnly declare in the presence of the magistrate or minister and the attending witnesses, that they take each other as husband and wife; and in any case there shall be at least two witnesses, besides the minister or magistrate present at the ceremony.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-110

Whenever a marriage shall have been solemnized pursuant to the provisions of sections 42-101 to 42-117, the minister or magistrate who solemnized the same shall give to each of the parties, on request, a certificate under his hand, specifying the names, ages and places of residence of the parties married, the names and residences of at least two witnesses who were present at such marriage, and the time and place thereof.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-112

The county clerk of each county in the state shall record all such returns of such marriages in a book to be kept for that purpose within one month after receiving the returns.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-101

In law, marriage is considered a civil contract, to which the consent of the parties capable of contracting is essential.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-403

Marriages and divorces consummated on or after April 8, 1913, among such Indians, or among their descendants, according to Indian custom, are hereby declared to be unlawful and shall be punished as hereinafter provided.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-408

Nothing in sections 42-402 to 42-407 shall be construed to constitute a legal separation of a prior legal marriage according to the laws of this state wherein a license was secured and a ceremony performed by some person empowered by law to perform such marriage ceremony of any Indian of whole or mixed blood residing in the state.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-102

At the time of the marriage the male must be of the age of seventeen years or upward, and the female of the age of seventeen years or upward. No person who is afflicted with a venereal disease shall marry in this state.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-103

Marriages are void (1) when either party has a husband or wife living at the time of the marriage, (2) when either party, at the time of marriage, is mentally incompetent to enter into the marriage relation, and (3) when the parties are related to each other as parent and child, grandparent and grandchild, brother and sister of half as well as whole blood, first cousins when of whole blood, uncle and niece, and aunt and nephew. This subdivision extends to children and relatives born out of wedlock as well as those born in wedlock.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-104

Prior to the solemnization of any marriage in this state, a license for that purpose shall be obtained from a county clerk in the State of Nebraska. Applications for a marriage license made with the county court prior to January 1, 1987, shall be processed and licenses shall be issued by the county court according to the law and procedures in effect on the date each application was made. No marriage hereafter contracted shall be recognized as valid unless such license has been previously obtained and used within one year from the date of issuance and unless such marriage is solemnized by a person authorized by law to solemnize marriages. Each party shall present satisfactory documentary proof of and shall swear or affirm to the application giving: (1) Full name of each applicant and residence; and (2) the place, date, and year of birth of each.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-105

When either party is a minor, no license shall be granted without the written consent under oath of: (1) Either one of the parents of such minor, if the parents are living together; (2) the parent having the legal custody of such minor, if the parents are living separate and apart from each other; (3) the surviving parent, if one of the parents of such minor is deceased; or (4) the guardian, conservator, or person under whose care and government such minor may be, if both parents of such minor are deceased or if such guardian, conservator, or person has the legal and actual custody of such minor. The county clerk shall be justified in issuing the license, without further proof, upon receiving an affidavit setting forth the facts with reference to the conditions above specified and giving consent to the marriage, signed by the person authorized to give written consent under such circumstances.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-106

When an application is made for a license to the county clerk, he or she shall, upon the granting of such license, state in the license the information contained in the application as provided in section 42-104. The license shall, prior to the issuing thereof, be entered of record in the office of the county clerk in a suitable book to be provided for that purpose. The forms for the application, license, and certificate of marriage shall be provided by the Department of Health and Human Services at actual cost as determined by the department.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-107

If the required proof is not given, if it shall appear that either of the parties is legally incompetent to enter into such contract or that there is any impediment in the way, or if either party is a minor and the consent mentioned in section 42-105 shall not be given, the county clerk shall refuse to grant a license.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-113

If any justice, minister, or other person whose duty it is to make and transmit to the county clerk such certificate shall neglect to make and deliver the same; if the county clerk shall neglect to record such certificate; if any person shall undertake to join others in marriage, knowing that he or she is not legally authorized so to do or knowing of any legal impediment to the proposed marriage; if any person authorized to solemnize any marriage shall willfully and knowingly make a false certificate of any marriage to the county clerk; or if the county clerk shall willfully and knowingly make a false record of any certificate of marriage, he or she shall be guilty of a Class I misdemeanor.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-114

No marriage solemnized before any person professing to be a minister of the gospel, shall be deemed or adjudged to be void, nor shall the validity thereof be in any way affected on account of any want of jurisdiction or authority in such supposed minister; Provided, the marriage be consummated with a full belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-115

It shall be lawful for every religious society to join together in marriage such persons as are of the society, according to the rites and customs of the society to which they belong. The clerk or keeper of the minutes, proceedings, or other book of the religious society in which such marriage shall be had, or if there be no such clerk or keeper of the minutes, then the moderator or person presiding in such society, shall make out and transmit to the county clerk of the county a certificate of the marriage, and the same shall be recorded in the same manner as is provided in sections 42-108 to 42-112.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-116

The original certificate and record of marriage made by the minister, officer, or person, as prescribed in sections 42-101 to 42-117, and the record thereof, made as prescribed, a copy of such record, duly certified by such officer, or an abstract of marriage as defined in section 71-601.01, shall be received in all courts and places as presumptive evidence of the fact of such marriage.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-117

All marriages contracted without this state, which would be valid by the laws of the country in which the same were contracted, shall be valid in all courts and places in this state.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-118

In case of a marriage solemnized when either of the parties is under the age of legal consent, if they shall separate during such nonage, and not cohabit together afterwards, or in case the consent of one of the parties was obtained by force or fraud, and there shall have been no subsequently voluntary cohabitation of the parties, the marriage shall be deemed voidable.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-402

Whenever any man and woman, either of whom is whole or in part of Indian blood, shall have cohabited together as husband and wife according to the customs and manners of Indian life, the issue of such cohabitation shall be taken and deemed to be the legitimate issue of such persons so living together, notwithstanding the fact that the father and mother may have been divorced or separated according to Indian customs, or otherwise, and married to other persons, according to Indian custom, or otherwise.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-403

Marriages and divorces consummated on or after April 8, 1913, among such Indians, or among their descendants, according to Indian custom, are hereby declared to be unlawful and shall be punished as hereinafter provided.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-404

Such Indians and their descendants shall procure marriage licenses and have their marriages solemnized and returns thereof made in the manner as provided by the laws of this state for the making of marriage contracts.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-405

Such Indians and their descendants may obtain divorces in the manner and for the causes provided in the statutes of this state, and not otherwise.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-406

If any Indian who is married according to the provisions of sections 42-402 to 42-404 shall, while his or her husband or wife is living, be married to another person, either in legal form or according to Indian custom, he or she shall be guilty of bigamy and shall be punished therefor as provided by law.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-407

The record of Indian marriages made by the county judge pursuant to Laws 1913, Chapter 68, section 7, and certified copies thereof, shall be legal and competent evidence in all proceedings of the facts therein authorized to be stated.

Nebraska Revised Statutes - Chapter 42: Husband and Wife § 42-408

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