

with the orders of the state superintendent of public instruction issued thereunder, and when the said state superintendent of public instruction is satisfied with such compliance, he is authorized and empowered to certify to the secretary of state the sum of seven hundred fifty-four dollars ninety-two cents to be paid from the common school fund income, to the treasurer of school district No. 1, Town of Eaton, Brown County, Wisconsin, being the amount of money withheld from said district because it failed to comply with the provisions of subsection (21) of section 40.09; and said sum of seven hundred fifty-four dollars ninety-two cents is hereby appropriated from the common school fund income to said school district treasurer to be paid upon such certification; provided that this appropriation shall not be available unless such compliance shall have been completed and such certificate made on or before December 31, 1919.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 7, 1919.

No. 231, S.]

[Published June 11, 1919.

## CHAPTER 308.

AN ACT to amend subsection (5) of section 573f of the statutes, relating to state aid for dependent children.

*The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Subsection (5) of section 573f of the statutes, is amended to read: (Section 573f) (5) Aid for dependent children shall only be granted upon the following conditions: There must be one or more children living with or dependent upon the mother or grandparents or person having the care and custody of such children, one or more of whom shall be under the age of fourteen or between the ages of fourteen and sixteen and unable to secure a permit to work; the mother or grandparent or such other person must have resided \* \* \* in the county in which application is made for aid *for at least one year* \* \* \* prior to the date of such application \* \* \* the mother must be *without a husband* \* \* \* or the wife of a husband who is incapacitated for gainful work by permanent mental or physical disability, or of a husband who has been sentenced to a penal institution for one year or more, or of a husband who has continuously deserted her for six months or more during which time all provisions of law have been used to enforce support and none has been obtained, or such mother must be divorced from her husband and must show that she has used all

provisions of law to compel her former husband to support her and has not been able to do so. Such deserted or divorced woman need not show that she has used all provisions of law to enforce support, if the court shall be of the opinion that such procedure on her part would be of no avail; the mother or grandparents or person having the care and custody of such children must be a fit and proper person to have the custody and care of the dependent children and the period of aid must be likely to continue longer than one year. The ownership by a mother of a homestead shall not prevent the granting of aid under the provisions of this section if the rental thereof would not exceed the rental which a family of the same size as the family of such parent, receiving aid, would be obliged to pay for living quarters.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 7, 1919.

No. 233, S.]

[Published June 11, 1919.

### CHAPTER 309.

AN ACT to amend subsection 1 of section 2330 of the statutes, relating to marriage.

*The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Subsection 1 of section 2330 of the statutes is amended to read: (Section 2330) 1. No marriage shall be contracted while either of the parties has a husband or wife living, nor between persons who are nearer of kin than second cousins, \* \* \* *excepting that marriage may be contracted between first cousins where the female has attained the age of fifty years. Relationship under this section shall be computed by the rule of the civil law, whether the parties to the marriage are of the half or of the whole blood.* No insane person, epileptic or idiot shall be capable of contracting marriage.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 7, 1919.