

tried and determined in said circuit court in the same manner as though originally commenced therein.

SECTION 3. This act shall take effect and be in force from and after its passage.

Approved March 11, 1865.

CHAPTER 182.

[Published March 28, 1865.]

AN ACT relating to the adoption of children, and amendatory of section one of chapter two hundred and seventy-eight of the laws of 1864.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

SECTION 1. Section one of chapter two hundred and seventy-eight of the laws of 1864, is hereby amended, so as to read as follows : "Section two of chapter forty-nine of the revised statutes is hereby amended, so as to read as follows : 'Section 2. No such adoption shall be made without the consent, in writing, of such of the parents of said child as may be living, unless it shall appear to the judge that either of the parents has abandoned the child, or gone to parts unknown, when such consent may be given by the parent, if any, having the charge and care of the child. And in case where neither of the parents is living, or if the only living parent has abandoned the child, such consent may be given by the guardian, if such child has any, and if there be no guardian, such consent may then be given by any of the next of kin of such child, residing in this state; and if there be no such next of kin, or if such next of kin is unknown, such consent may be given by some suitable person to be appointed by such judge; and in case of a child not born in lawful wedlock, such consent may be given by the mother: *provided*, she is living and has not abandoned such child.'"

By whom consent to adoption may be given.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 11, 1865.