

No. 119, A.]

[Published March 20, 1953.

### CHAPTER 8.

AN ACT to amend 245.02 and 245.16 of the statutes, relating to the marriageable age of consent.

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

SECTION 1. 245.02 of the statutes is amended to read:

245.02 Every male person who shall have attained the full age of 18 years *or who has obtained the permission of the county judge as provided in s. 245.16* and every female who shall have attained the full age of 15 years shall be capable in law of contracting marriage if otherwise competent.

SECTION 2. 245.16 of the statutes is amended to read:

245.16 No license shall be issued if either of the contracting parties be under the marriageable age of consent as established by \* \* \* *s. 245.02, except that a male under the age of 18 may lawfully contract to marry and obtain a marriage license if he first obtains the written permission of the county judge of his county, who shall grant such permission only if he finds that the marriage will prevent a child fathered by applicant from being born out of wedlock.* If either of the contracting parties be between the age of 18 years and 21 years if a male, and between the age of 15 years and 18 years if a female, no license shall be issued without the consent of his or her parents or guardian, or of the parent having the actual care, custody and control of said party or parties, given before the county clerk under oath, or certified under the hand of such parents or guardian as aforesaid, and properly verified by affidavit before a notary public or other official authorized by law to take affidavits, which certificate shall be filed of record in the office of said county clerk and entered by him on the marriage license docket before issuing said license; provided, that if there be no guardian or parent having the actual care, custody and control of said party or parties, then the judge of the court having probate jurisdiction in the county where the application is pending may, after hearing, upon proper cause shown, make an order allowing the marriage of said party or parties.

Approved March 18, 1953.