**MARRIAGE LAWS DURING THIS PERIOD**

It is interesting to note the laws and customs of this period of over a century ago, as the love-struck couples sought to embark on their lifetime journey together. We therefore include an excerpt from a section of S. N. D. North’s compiled “Marriage Laws in the United States 1887-1906” Texas: Authorities: revised Statutes, 1879; Laws of 1887, 1889, 1891, 1899; Sayles’ Civil Statutes, 1894, 1897, and Supplement, 1897-1904; Wilson’s Criminal Statutes, 1896, and Supplement, 1897-1904.

Age at which minors are capable of marrying: males 16, females 14.

Age below which parental consent is required: males 21, females 18.

Character of consent: clerk must have consent of parent or guardian before he may issue license.

Prohibited degrees: no man shall marry his mother, his father’s sister or half-sister, his mother’s sister or half-sister, his daughter, or the daughter of his father, mother, brother, or sister, or of his half-brother or half-sister, the daughter of his son or daughter, his father’s widow, his son’s widow, his wife’s daughter, or the daughter of his wife’s son or daughter. No woman shall marry her father, her father’s brother or half-brother, her mother’s brother or half-brother, her own brother or half-brother, her son, the son of her brother or sister, or of her half-brother or half-sister, the son of her son or daughter, her mother’s husband after death of her mother, her daughter’s husband after the death of her daughter, her husband’s son, the son of her husband’s son or daughter. Such marriages are declared to be incestuous.

Prohibited marriages; marriages with prohibited degrees; marriages between persons of European blood or their descendants and Africans or the descendants of Africans. In section 2959, Revised Civil Statutes, 1895, the word European in the foregoing is changed to Caucasian.

Void marriages: marriages between persons of Caucasian blood or their descendants and Africans or the descendants of Africans.

Criminal marriages: prohibited marriages given above, bigamous marriages, marriage of a woman by abduction.

What marriages may be annulled: district court has power to hear and determine suits for the dissolution of marriage where the causes alleged are natural or incurable impotency of body in either party at the time of marriage, or for any other impediment that renders such contract void, and has power and authority to decree the marriage to be null and void.

License: required. License issued by county clerk.

Record of license: clerk must record all licenses issued in a book kept for that purpose.

Who may solemnize marriage: regular or licensed or ordained minister of the gospel; judge of the district or county court; justices of the peace of the several counties. Act of March 29, 1889, adds Jewish rabbi to the above.

Character and form of solemnization: not prescribed.

Return of marriage: person solemnizing must endorse same on license and return it to the county clerk of the county where issued within sixty days after the marriage.

Record of return: clerk must record all marriages duly returned to him.

Remarriage during life of former spouse: statute against bigamy does not extend to any person whose husband or wife continually remains out of the state or voluntarily withdraws from the other and remains absent for five years, the person marrying again not knowing the other to be living within that time.

Subsequent marriage after divorce: provisions against bigamy do not extend to any person who is legally divorced. After a decree of divorce has been granted, either party may marry again.

Encouragement and restraint of marriage: when a man, having by a woman a child or children, after-wards intermarries with such woman, such child or children, if recognized by him, are thereby legitimated and made capable of inheriting his estate. In case of seduction, if the parties marry each other at any time before the conviction of the defendant, or if the defendant in good faith offers to marry the female seduced, no prosecution takes place, or if begun, is dismissed.