

shall immediately make proclamation of the fact and the city clerk shall transmit notice thereof to the secretary of the Commonwealth, and thereupon this act shall have full force and effect.

Approved April 28, 1876.

Chap. 212 AN ACT IN RELATION TO THE APPOINTMENT OF SPECIAL COMMISSIONERS FOR ALTERATION OF RAILROAD CROSSINGS.

Be it enacted, &c., as follows :

Special commis-
sioners for alter-
ation of railroad
crossings.

SECTION 1. A justice of the supreme judicial court, in appointing a special commission provided for in section one of chapter two hundred and thirty-one of the acts of the year eighteen hundred and seventy-five, shall designate one of the board of railroad commissioners as a member of such commission.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1876.

Chap. 213 . AN ACT CONCERNING THE ADOPTION OF CHILDREN.

Be it enacted, &c., as follows :

Petition to pro-
bate court for
leave to adopt
a child.

SECTION 1. Any person of the age of twenty-one years or upwards, may petition the probate court in the county of his residence, for leave to adopt as his child any other person, younger than himself, except as hereinafter provided. If the petitioner have a husband or wife living, who is competent to join in such petition, the prayer of the petition shall not be granted unless the husband or wife joins therein, and upon adoption the child shall be deemed the child and heir of both.

Decree of
adoption.

SECTION 2. No decree for such adoption shall be made, except as hereinafter provided, without the written consent of the child, if above the age of fourteen years; and also, of the lawful parents, or surviving parent,—of the parent having the lawful custody of the child, if the parents be divorced, or are living separate,—of the guardian of the child, if any,—of the mother only of the child if illegitimate,—or of the person or persons who shall be substituted for either of the above named, by the provisions of this act. No person whose consent is hereby made requisite shall be debarred from being the adopting parent in said proceedings. In case of a subsequent adoption, the consent of the previous adopting parent shall also be required: *provided, however,* that the consent of the persons hereinbefore named shall not be required in the cases hereinafter excepted.

Proviso.