

SENATE No. 110

To accompany the petition of Gertrude D. Meaney for legislation to make certain changes in the laws relating to adoption. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT MAKING CERTAIN CHANGES IN THE LAWS RELATING TO ADOPTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 210 of the General Laws of Massachusetts
2 is hereby amended by substituting for section 3 the
3 following:—

4 *Section 3. Consent not required in Certain Cases;*
5 *Notice of Petition if Child supported by Town, Etc.—*

6 The consent of the persons named in section two other
7 than the child or her husband, if any, shall not be
8 required if the person to be adopted is of full age, nor
9 shall the consent of any such person other than the
10 child be required if such person is adjudged by the
11 court hearing the petition to be hopelessly insane, or
12 is imprisoned in any penal institution in this common-
13 wealth under sentence for a term of which more than
14 three years remain unexpired at the date of the pe-
15 tition; or if either or both parents have wilfully

16 deserted or neglected to provide proper care and
17 maintenance for such child for one year last preceding
18 the date of the petition whether or not either or both
19 parents have been legally deprived of custody of such
20 child by any court decree or whether or not either or
21 both parents have been under any court order to
22 support such child; or if they have suffered such child
23 to be supported for more than one year continuously
24 prior to the petition by an incorporated charitable
25 institution or by a town or by this commonwealth; or
26 if he has been sentenced to imprisonment for drunk-
27 enness upon a third conviction within one year and
28 neglects to provide suitable care and maintenance
29 for such child; or if such person has been convicted
30 of being a common night walker or a lewd, wanton
31 and lascivious person, and neglects to provide proper
32 care and maintenance for such child. A giving up
33 in writing of a child, for the purpose of adoption, to
34 an incorporated charitable institution or the depart-
35 ment of public welfare shall operate as a consent to
36 any adoption subsequently approved by such insti-
37 tution or said department. Notice of the petition
38 shall be given to the department of public welfare, if
39 the child is supported by a town, notice shall also be
40 given to the board of public welfare thereof, and in
41 Boston said notice shall be given both to the over-
42 seers of the public welfare in the city of Boston and
43 to the institutions department.