
By Mr. Farnam of Medford (by request), petition of Esther C. Sweet for legislation to make certain changes in the law relative to the adoption of children. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Three.

AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO THE ADOPTION OF CHILDREN.

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

1 Section 3 of chapter 210 of the General Laws, as
2 most recently amended by chapter 352 of the acts of
3 1952, is hereby further amended by striking out, in
4 line 13, the word "father", and inserting in place
5 thereof the words:—parent or parents,—by strik-
6 ing out, in line 13, the word "his" and inserting in
7 place thereof the word:—their,—by striking out,
8 in line 15, the word "father" and inserting in place
9 thereof the words:—parent or parents,—by strik-
10 ing out, in line 17, the words "its mother" and in-
11 serting in place thereof the word:—another,—so
12 as to read as follows:—*Section 3.* The consent of
13 the persons named in section two, other than the
14 child or her husband, if any, shall not be required if
15 the person to be adopted is of full age, nor shall the
16 consent of any such person other than the child be
17 required if such person is adjudged by the court hear-
18 ing the petition to be hopelessly insane, or is im-

19 prisoned in any penal institution in this common-
20 wealth under sentence for a term of which more than
21 three years remain unexpired at the date of the peti-
22 tion; or if he has wilfully deserted or neglected to
23 provide proper care and maintenance for such child
24 for one year last preceding the date of the petition,
25 and the foregoing provision shall be applicable to the
26 parent or parents of the child, and their consent shall
27 not be required notwithstanding the absence of a court
28 decree ordering said parent or parents to pay for the
29 support of said child, and notwithstanding a court de-
30 cree awarding custody of said child to another; or if
31 he has suffered such child to be supported for more
32 than one year continuously prior to the petition by an
33 incorporated charitable institution or by a town or by
34 the commonwealth; or if he has been sentenced to
35 imprisonment for drunkenness upon a third conviction
36 within one year and neglects to provide proper care
37 and maintenance for such child; or if such person
38 has been convicted of being a common night walker
39 or a lewd, wanton and lascivious person, and neglects
40 to provide proper care and maintenance for such
41 child. A giving up in writing of a child, for the pur-
42 pose of adoption, to an incorporated charitable insti-
43 tution or the department of public welfare shall oper-
44 ate as a consent to any adoption subsequently ap-
45 proved by such institution or said department. Notice
46 of the petition shall be given to the department of
47 public welfare, if the child is supported by a town or
48 by the commonwealth, and if the child is supported
49 by a town, notice shall also be given to the board of
50 public welfare thereof, and in Boston said notice shall
51 be given both to the overseers of the public welfare
52 in the city of Boston and to the institutions depart-
53 ment.