

HOUSE No. 173.

HOUSE OF REPRESENTATIVES, Jan. 15, 1906.

Introduced on leave by Mr. Luce of Somerville. Joint Judiciary.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Six.

AN ACT

Relative to the Abandonment of Children by Parents or
Others.

*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 1. Section ten of chapter eighty-three of
2 the Revised Laws as amended by chapter two hundred
3 and sixty-nine of the acts of the year nineteen hundred
4 and five, is hereby amended by striking out all of said
5 section and inserting in place thereof the following:—
6 *Section 10.* Whoever abandons an infant under ten
7 years of age within or without any building, and who
8 ever makes a contract or provision for the board or
9 maintenance of such infant, whether legally liable for
10 his support without regard to said contract or not, and,
11 after the placing of the infant at board in accordance
12 therewith, deserts him, by absconding, or by failing to
13 perform his part of said contract for a period of four

14 weeks, during which period he neglects to visit or re-
15 move the infant, shall be punished by imprisonment, if
16 a man, in the house of correction, and, if a woman, in
17 the reformatory prison for women, for not more than
18 two years, or if the infant dies by reason of such
19 abandonment for not more than five years; unless it
20 is made to appear that his neglect to visit or remove
21 the infant arose from his physical or mental disability,
22 or that within said period of four weeks he had person-
23 ally notified the overseers of the poor of the city or town
24 in which the infant was being maintained, that he was
25 unable to perform his contract, or to maintain the infant,
26 and had given true answers to said board of overseers of
27 the poor relative to his own identity and residence, and
28 the identity, residence, parentage and place of settle-
29 ment of such infant, so far as known to him, and had
30 been thereupon refused the necessary assistance. Who-
31 ever knowingly and with wrongful intent aids or abets in
32 the abandonment or desertion of any such infant, either
33 in or after the act, shall be punished by a fine not ex-
34 ceeding one hundred dollars, or by imprisonment not
35 exceeding two years. Whoever, having information of
36 such abandonment or desertion, and having knowledge
37 of the identity of the infant, or the identity or where-
38 abouts of the parents or kindred thereof, wilfully con-
39 ceals the same from any officer or agent authorized by
40 law to investigate the case, when called upon to disclose
41 said information, shall be deemed to be, *prima facie*, an
42 abettor of said crime. No person convicted under the
43 provisions of this act shall be placed on probation with-
44 out the consent of the state board of charity while the
45 infant remains a public charge.

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