

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

Senate Document

No. 95

S. P. 227

In Senate, Feb. 5, 1929.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Boulter of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT Relating to Adoptions.

Be it enacted by the People of the State of Maine, as follows:

Section thirty-six of chapter seventy-two of the revised
2 statutes of nineteen hundred and sixteen is hereby amended
3 by striking out the last twenty-two words thereof, and in-
4 serting in place thereof the words, 'if an illegitimate child
5 such consent may be given by the mother of said child, but
6 illegitimacy shall in no case be averred upon the record;
7 in all cases whereby law the care, custody and control of
8 any child has been given to any state department, institu-
9 tion or corporation within this state by any court in accord-
10 ance with law, or by either or both parents who have by

11 law the care, custody and control of said child, consent to
12 adoption may be given by said state department, institution
13 or corporation by its duly authorized officer, and such adop-
14 tion shall not be void by reason of any irregularities in the
15 commitment by court to said state department, institution
16 or corporation,' so that said section, as amended, shall read
17 as follows:

‘Before such petition is granted, written consent to such
2 adoption must be given by the child, if of the age of four-
3 teen years; and by each of his living parents, if not hope-
4 lessly insane or intemperate; or when a divorce has been
5 decreed to either parent, written consent by the parent en-
6 titled to the custody of the child; or such consent by one
7 parent, when, after such notice to the other parent as the
8 judge deems proper and practicable, such other parent is
9 considered by the judge unfit to have the custody of the
10 child. If there are no such parents, or if the parents have
11 abandoned the child and ceased to provide for its support,
12 consent may be given by the legal guardian; if no such
13 guardian, then by the next of kin in the state; if no such
14 kin, then by some person appointed by the judge to act in
15 the proceedings as the next friend of such child; if an
16 illegitimate child such consent may be given by the mother
17 of said child, but illegitimacy shall in no case be averred
18 upon the record; in all cases where by law the care, custody
19 and control of any child has been given to any state depart-
20 ment, institution or corporation within this state by any

21 court in accordance with law, or by either or both parents
22 who have by law the care, custody and control of said child,
23 consent to adoption may be given by said state department,
24 institution or corporation by its duly authorized officer, and
25 such adoption shall not be void by reason of any irregu-
26 larities in the commitment by court to said state department,
27 institution or corporation.'