

CHAPTER LVI.

AN ACT regulating the adoption of heirs.

[APPROVED MARCH 2, 1855.]

Person desirous
of adopting child
to file petition
therefor in cir-
cuit or common
pleas court.

What the peti-
tion to specify.

Petition to be
verified by oath
or affirmation of
petitioner.

Such child shall
take the name in
which it is adopt-
ed.

Adopted father
or mother to oc-
cupy same posi-
tion as if natural
father or mother.

The court shall
adopt such child
if it have a fath-
er or mother liv-
ing without their
consent.
Provido.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That any person desirous of adopting any child may file his petition therefor in the circuit court or court of common pleas in the county where such child resides.

SEC. 2. Such petition shall specify:

First.—The name of such petitioner.

Second.—The name of such child; its age; whether it has any property, and if so, how much.

Third.—Whether such child has either father or mother living, and if so, where they reside. Such petition shall be verified by the oath or affirmation of such petitioner.

SEC. 3. Such court, when satisfied that it will be for the interest of such child, shall make an order that such child be adopted, and from and after the adoption of such child, it shall take the name in which it is adopted, and be entitled to and receive all the rights and interest in the estate of such adopted father or mother, by descent or otherwise, that such child would do if the natural heir of such adopted father or mother.

SEC. 4. After the adoption of such child, such adopted father or mother shall occupy the same position towards such child that he or she would if the natural father or mother, and be liable for the maintenance, education, and every other way responsible as a natural father or mother.

SEC. 5. Such court shall not adopt such child if it have a father or mother living, unless such father or mother appear in open court and give consent thereto; *Provided*, that if such petitioner show, by two competent witnesses, that the residence of such father or mother be unknown, then such court may adopt such child.

SEC. 6. Such petitioner shall pay all costs of such proceedings.