

[82nd GENERAL ASSEMBLY \(/SessionLaws/Chapters?volume=158\)](/SessionLaws/Chapters?volume=158)

[Previous Page](#)

[Next Page](#)

CHAPTER 612.

OF PARENTS AND CHILDREN.

AN ACT in reference to the Adoption of Children.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

SECTION 1. That any person, or any husband and wife jointly desiring to adopt any child or children, or any young person or persons, shall make application, in writing, to the Orphans' Court of the county wherein he, she, or they reside, stating that they desire to adopt such child, children, or young person or persons, giving its or their ages as near as may [be], its or their sex, and that he, she, or they are willing to adopt said child, children, or young person or persons, and treat it in all respects as if of their own issue or blood, said application being duly signed by the applicant or applicants.

SECTION 2. That such applicant or applicants shall make affidavit that such child, children, or young person or persons came, or is about to come into his, her, or their possession lawfully and with the consent of whoever (or whatever institution in case of a corporation,) had the legal custody of said child, children, or young person or persons, and two respectable citizens of their county shall indorse upon said affidavit, or append thereto, a certificate that they are personally acquainted with the applicant or applicants desiring to adopt the said child, children, or young person or persons, and that they are of good moral character and fit to be entrusted with the maintaining and proper education of the said child, children, or young person or persons, and for making reasonable provision for the future usefulness and happiness in life of any child, children, or young person or persons that may be placed in his, her, or their charge.

SECTION 3. Upon compliance with the above requirements, the Orphans' Court of the county in which the application is filed shall, in its discretion; render a decree ordering the issuance of a certificate of adoption to the applicant or applicants, stating the sex, age as near as may be, and the name by which the child adopted shall thereafter be known, and that henceforth and forever all the duties, rights, privileges and obligations recognized by law between parent and child shall exist between the applicant or applicants and the child, children or young person or persons so adopted as fully and to all intents and purposes, as if the said child, children, or young person or persons were the lawful and natural offspring or issue of the person or :persons making the application for his, her, or their adoption. The clerk of the court in which such application may be made and such decrees pronounced, shall file the applications, affidavits and certificates in some proper place, and shall record in a record: of record book to be kept for that purpose all the proceedings in such case, together with the decrees of the court, which record shall be evidence.

SECTION 4. The costs in such cases shall taxed by the court on the person or persons making the application and they shall pay the same to the clerk of the court.

Passed at Dover, April 10, 1885.

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