

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

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of and the name and number of the estate from which the said funds arise, which said receipt shall be filed in the probate court for said county as sufficient voucher therefor. No action shall be commenced to recover said funds or any portion thereof after the expiration of six years from the date when said funds are paid over to said county treasurer.'

Approved April 6, 1927.

Chapter 77.

An Act Relating to Increase or Decrease of Capital Stock, or Stock, Bond or Scrip Dividend of Public Utilities.

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

R. S., c. 55, sec. 39; P. L., 1919, c. 115; relating to decreases and increases of capital stock by public utilities, amended. Section thirty-nine of chapter fifty-five of revised statutes, as amended by chapter one hundred fifteen of the public laws of nineteen hundred and nineteen, is hereby further amended by striking out in the sixth line thereof the words "to an amount not exceeding one million dollars," so that said section as amended shall read:

'Sec. 39. Limitation on amount of increase removed. No public utility shall decrease its capital stock or declare any stock, bond or scrip dividend or divide the proceeds of the sale of its own or any stock, bond or scrip among stockholders without the consent of the commission. Any public utility organized under special act of the legislature or under general laws of the state may increase its capital stock upon approval of the commission. The public utility voting to increase its capital stock shall, within fifteen days after such action file notice of the proposed increase with the commission. If such increase is approved, upon payment of the fees prescribed by section forty-two, of chapter fifty-one revised statutes, the commission shall thereupon issue its certificate of approval to the company so increasing its capital stock and shall also cause to be filed a certificate in the office of the secretary of state certifying to such increase.'

Approved April 6, 1927.

Chapter 78.

An Act Making the Father and Mother Joint Natural Guardians of Their Minor Children with Equal Powers and Rights.

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

Sec. 1. Father and mother joint natural guardians of children; neither has paramount rights. The father and mother are the joint natural

guardians of their minor children and are jointly entitled to the care, custody, control, services and earnings of such children; and neither parent has any rights paramount to the rights of the other with reference to any matter affecting such children.

Sec. 2. Parents may maintain joint action for loss of services; either may sue when one refuses. The parents of a minor child jointly may maintain an action for loss of the services or earnings of such child when such loss is caused by the negligent or wrongful act of another. But where one parent refuses to sue, the other may sue alone. Nothing contained herein shall be deemed to limit, amend, supersede or affect the provisions of the workmen's compensation law or acts in amendment thereof.

Sec. 3. When one parent is dead or has abandoned child, rights devolve on other. If one of the parents of a minor child be dead or has abandoned such child, all parental rights respecting such child shall devolve upon the other parent.

Sec. 4. Vested jurisdiction of courts not affected. Nothing contained in this act shall be deemed to abrogate any power now vested in any court to award the guardianship of a child to one parent where the father and mother are divorced or living apart, or to remove the custody of a minor from any parent who is unsuitable or unfit to have the guardianship of such minor.

Sec. 5. R. S., c. 64, secs. 44 and 47 and inconsistent acts repealed.

Sections forty-four and forty-seven of chapter sixty-four of the revised statutes, and all acts and parts of acts in conflict with this act are hereby repealed.

Approved April 6, 1927.

Chapter 79.

An Act to Provide for the Filling of Vacancies in the Office of Constable in Cities.

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

Filling vacancies in office of constable in cities provided for. If in any city a vacancy occurs in the office of constable, either through the failure of a duly elected or appointed constable to qualify by filing his bond within thirty days after his election or appointment, or through the death, resignation or removal of a qualified constable, or through the failure of any ward or precinct to elect its allotted number of constables, the municipal