

# 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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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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KENNEBEC JOURNAL PRINT SHOP  
AUGUSTA, MAINE

1927

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-third Legislature

**1927**

[supplied from page 1 of volume]

'Sec. 3. Apportionment for building intrastate, interstate and international bridges. The treasurer of state may negotiate the sale of such bonds by direction of the governor and council, but no such bond shall be loaned, pledged or hypothecated in behalf of the state. Of the proceeds of the sales of such bonds, which shall be held by the treasurer of state and paid by him upon warrants drawn by the governor and council, three million dollars is hereby appropriated, to be used solely for the building of state highways, three million dollars is hereby appropriated to be used solely for the building of intrastate, interstate and international bridges, including the building of bridges, as provided by chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen, as amended. The proceeds of said bonds may be expended during the fiscal years ending June thirtieth, nineteen hundred and twenty-seven, but any balance unexpended shall not lapse, but shall be carried forward to the same account to be used only for the construction of state highways and bridges as provided by law.'

Approved April 15, 1927.

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## Chapter 188.

An Act Relating to Proposed Changes in Freight Rates.

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

P. L., 1917, c. 44, sec. 2; relating to jurisdiction of public utilities over proposed changes in freight rates, amended. That section two of chapter forty-four of the public laws of nineteen hundred and seventeen be amended by adding at the end of the second paragraph of said section two the following:

'Whenever any carrier shall file with the public utilities commission, and also with the interstate commerce commission, a tariff containing both intrastate rates and interstate rates on the same commodity, and prior to the effective date thereof the interstate rates are suspended by the interstate commerce commission; then the public utilities commission shall have power to suspend, at any time within ten days after the date of the suspension order issued by the interstate commerce commission, the proposed intrastate rates, and such suspension may be kept in full force and effect so long as the interstate rates shall continue under suspension with a reasonable time thereafter for preparation of and issue of decision. The public utilities commission may, with the consent of the governor and council, hold joint hearing with the interstate commerce commission with respect to the relationship between rate structures and practices of carriers subject to the jurisdiction of the public utilities commission and the

## CHAP. 188

interstate commerce commission, in accord with the provisions of the act to regulate commerce and applicable amendments.'

so that said section two, as amended, shall read as follows:

**'Sec. 2. Joint action of public utilities commission and interstate commerce commission; joint hearings provided for.** Whenever the public utilities commission receives notice of any change or changes proposed to be made in any schedule of new rates, joint rates, fares, rentals, tolls, classifications, charges, rules, regulations or forms of contract or agreement affecting the transportation of freight, and filed with said commission under the provisions of law, said commission shall have power at any time within thirty days after the effective date of such change or changes, either upon complaint or upon its own motion, and after reasonable notice, to hold a public hearing and make investigation as to the propriety of such proposed change or changes.

At any such hearing involving any change or changes as above specified the burden of proof to show that such change is reasonable shall be upon the common carrier. After such hearing and investigation the commission may make such order, within a period of not less than six months after the effective date of the schedule setting forth such change or changes with reference to any proposed new rate, joint rate, fare, rental, toll, classification, charge, rule, regulation or form of contract or agreement proposed as would be proper under existing law in a proceeding initiated upon complaint or upon motion of the commission in any rate investigation; and in cases involving an increase in an existing rate, joint rate, toll, fare, rental or charge affecting the transportation of freight, if the commission shall find that such increase is unreasonable it may, by proper order, determine and fix the maximum rate, joint rate, toll, fare, rental or charge which may thereafter be collected for the service rendered, and no rate, joint rate, toll, fare, rental or charge affecting the transportation of freight in excess thereof shall be filed within a period of one year after the making of such order; and the commission, by proper order, may require the common carrier which has filed any such increased rate, joint rate, toll, fare, rental or charge affecting the transportation of freight to refund, in such manner and under such conditions as may be prescribed by the commission, to all persons from whom charges have been collected by virtue of the schedules under investigation, any and all sums collected in excess of the rate, joint rate, toll, fare, rental or charge affecting the transportation of freight so determined and fixed by the commission as being the maximum rate, joint rate, toll, fare, rental or charge to be collected, and may require due report of the refund so made. Whenever any carrier shall file with the public utilities commission, and also with the

interstate commerce commission, a tariff containing both intrastate rates and interstate rates on the same commodity, and prior to the effective date thereof the interstate rates are suspended by the interstate commerce commission; then the public utilities commission shall have power to suspend, at any time within ten days after the date of the suspension order issued by the interstate commerce commission, the proposed intrastate rates, and such suspension may be kept in full force and effect so long as the interstate rates shall continue under suspension with a reasonable time thereafter for preparation of and issue of decision. The public utilities commission may, with the consent of the governor and council, hold joint hearing with the interstate commerce commission with respect to the relationship between rate structures and practices of carriers subject to the jurisdiction of the public utilities commission and the interstate commerce commission, in accord with the provisions of the act to regulate commerce and applicable amendments.'

Approved April 15, 1927.

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## Chapter 189.

An Act Relating to Consent Required to be Given in Adoption of Children.

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

R. S., c. 72, sec. 36; relating to consent in cases of adoption of children, amended. Chapter seventy-two, section thirty-six, of the revised statutes is hereby amended by adding at the end of said section the following: 'Provided, however, if only one of such parents have abandoned the child and ceased to provide for its support, consent may be given by the parent who has not abandoned said child,' so that said section, as amended, shall read as follows:

'Sec. 36. If only one parent has abandoned child consent to adoption may be given by other. Before such petition is granted, written consent to such adoption must be given by the child, if of the age of fourteen years, and by each of his living parents, if not hopelessly insane or intemperate; or, when a divorce has been decreed to either parent, written consent by the parent entitled to the custody of the child; or such consent by one parent, when, after such notice to the other parent as the judge deems proper and practicable, such other parent is considered by the judge unfit to have the custody of the child. If there are no such parents, or if the parents have abandoned the child and ceased to provide for its support, consent may be given by the legal guardian; if no such guardian, then by the next of kin in the state; if no such kin, then by some person appointed by the judge to act in the proceedings as the next friend of