

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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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.

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

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such child; if an illegitimate child, and under the age of fourteen years, such consent may be given by the mother of such child. 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.'

Approved April 15, 1927.

Chapter 190.

An Act Relating to Recording of Instruments and Conveyances.

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

R. S., c. 78, sec. 23; P. L., 1921, c. 40; 1925, c. 176; relating to acknowledgments of deeds and other written instruments, amended. Section twenty-three of chapter seventy-eight of the revised statutes as re-enacted by chapter forty of the laws of nineteen hundred and twenty-one, as amended by chapter one hundred seventy-six of the public laws of nineteen hundred twenty-five, is hereby further amended by striking out the whole of said section and inserting in place thereof the following:

'Sec. 23. Notices of foreclosure of mortgages excepted from provisions; foreclosures heretofore recorded without acknowledgment made valid. Deeds and all other written instruments before recording in the registries of deeds, except those issued by a court of competent jurisdiction and duly attested by the proper officer thereof, and excepting plans and notices of foreclosure of mortgages, shall be acknowledged by the grantors, or by the persons executing any such written instruments, or by one of them, or by their attorney executing the same, or by the lessor in a lease or one of the lessors or his attorney executing the same, before a justice of the peace, or notary public having a seal, or woman otherwise eligible under the constitution and appointed for the purpose by the governor with the advice and consent of the council, in the state; or before any clerk of a court of record having a seal, notary public, justice of the peace, or commissioner appointed by the governor of this state for the purpose or a commissioner authorized in the state where the acknowledgment is taken, within the United States; or before a minister or consul of the United States or notary public in any foreign country. The seal of such court or the official seal of such notary or commissioner, if he have one, shall be affixed to the certificate of acknowledgment, but if such acknowledgment is taken outside the state of Maine before a justice of the peace, notary public not having a seal, or commissioner, a certificate under seal from the secretary of state, or clerk of a court of record in the county