

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth and Eighty-seventh Legislatures

OF THE

STATE OF MAINE

From April 1, 1933, to April 6, 1935

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-Seventh Legislature

1935

[supplied from page 201 of volume]

Chapter 38.

AN ACT Relating to Disposal of Minor Children in Divorce Proceedings.

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

R. S., c. 73, § 14, amended. Section 14 of chapter 73 of the revised statutes is hereby amended to read as follows:

'Sec. 14. Disposal of minor children; change name of wife; employ compulsory process deemed proper. The court making a decree of nullity, or of divorce, or any justice thereof in vacation, may also decree concerning the care, custody, and support of the minor children of the parties and with which parents any of them shall live, or grant the care and custody of said children to a third person or to some suitable society or institution for the care and protection of children or to the state department of health and welfare, alter its decree from time to time as circumstances require; change the name of the wife, at her request; and in execution of the powers given it in this chapter may employ any compulsory process which it deems proper, by execution, attachment, or other effectual form.'

Approved March 15, 1935.

Chapter 39.

AN ACT Relative to Kidnapping.

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

R. S., c. 129, § 18, amended. Section 18 of chapter 129 of the revised statutes is hereby amended to read as follows:

'Sec. 18. Kidnapping; penalty; jurisdiction; consent. Whoever unlawfully confines or imprisons another or forcibly transports or carries him out of the state, or from place to place within it, or so seizes, conveys, inveigles, or kidnaps any person, ~~with intent to cause him to be so dealt with; by any means whatever and holds him for ransom or reward, or sells as a slave, or transfers, for any term of time, the service of any person of color, who has been so seized, inveigled, or kidnapped,~~ shall be punished by a ~~fine of not more than one thousand dollars, or by imprisonment for not more than twenty years~~ by imprisonment for life. Provided further, that if 2 or more persons enter into an agreement, confederation or conspiracy to violate the provisions of this section and do any overt act toward carrying out such unlawful agreement, confederation or conspiracy, such person or persons shall be punished by imprisonment for such term of years as the court in its discretion shall determine. Indictments for these offenses may be found and tried in the county where such person was

carried or brought, or in the county where the offense was committed; and on trial the consent of such person shall not be a defense, unless it appears that it was not obtained by fraud, threats, or duress.'

Approved March 15, 1935.

Chapter 40.

AN ACT Relating to the Discontinuance of Railroad Crossings.

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

Discontinuance of railroad crossings. Any railroad corporation, the state highway commission or the municipal officers of a city or town in which a public way crosses or is crossed by a railroad, whether at grade or otherwise, may file a petition in writing with the public utilities commission alleging that such crossing is no longer required by the public and praying that it may be closed or discontinued. The commission shall thereupon appoint a time for hearing thereon after notice of not less than 10 days to the petitioners, the state highway commission, the railroad corporation owning or operating such railroad and the city or town in which such crossing is located. After such notice and hearing, if the commission shall find that such crossing is no longer required by the public, it may order that the same be closed or discontinued.

Approved March 15, 1935.

Chapter 41.

AN ACT to Amend the Law Relating to Loan and Building Associations.

Emergency preamble. Whereas, Congress passed an act, approved June 27, 1934, entitled the "National Housing Act", for the purpose of improving housing standards and conditions, providing a system of mutual home mortgage insurance and authorizing the establishment of national mortgage associations, in order to facilitate home ownership, to create a sound mortgage market, and to establish a sound credit system; and

Whereas, loan and building associations in this state have not sufficient authority under the existing laws to make insured personal loans for the purpose of financing alterations, repairs and improvements upon real property pursuant to the provisions of Title I; to make insured mortgage loans pursuant to Title II; or to secure insurance under Title IV of the National Housing Act; and

Whereas, in the judgment of the legislature, these facts create an emergency under the meaning of section 16 of Article XXXI of the constitution