

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

CHAP. 42

Chapter 42.

An Act to Amend Section Forty-three of Chapter Sixty-six of the Revised Statutes, Relating to the Appointment of an Agent or Attorney by Non-resident Executors or Administrators.

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

Ch. 66, Sec.
43, R. S.,
amended.

—addi-
tional.

Section forty-three of chapter sixty-six of the Revised Statutes is hereby amended by striking out the last sentence of said section, and by substituting in place thereof the following: 'Such appointment shall be made by a writing filed and recorded in the registry of probate for the county in which the principal is appointed, and by such writing the subscriber shall agree that the service of any legal process against him as such executor or administrator, or that the service of any such process against him in his individual capacity in any action founded upon or arising out of any of his acts or omissions as such executor or administrator shall, if made on such agent, have like effect as if made on himself personally within the State, and such service shall have such effect. An executor or administrator who after his appointment removes from and resides without the State shall so appoint an agent within thirty days after such removal, and give public notice thereof. If an agent appointed under the provisions of this section dies or removes from the State before the final settlement of the accounts of his principal, another appointment shall be made, filed and recorded as above provided, and public notice thereof given; the powers of an agent appointed under the provisions of this section shall not be revoked prior to the final settlement of the estate unless another appointment shall be made as herein provided. Neglect or refusal by an executor or administrator to comply with any provision of this section shall be cause for removal. An executor or administrator, residing out of the State shall not appoint his co-executor or co-administrator, residing in the State, as his agent,' so that said section forty-three as amended shall read as follows:

—appoint-
ment of
agent.

—how
made.

—agree-
ment.

'Section 43. Executors or administrators residing out of the State at the time of giving notice of their appointment, shall appoint an agent or attorney in the State, and insert his name and address in such notice. Such appointment shall be made by a writing filed and recorded in the registry of probate for the county in which the principal is appointed, and by such writing the subscriber shall agree that the service of any legal process against him as such executor or administrator, or that the service of any such process against him in his individual capacity in any action founded upon or arising out of any of

his acts or omissions as such executor or administrator shall, if made on such agent, have like effect as if made on himself personally within the State, and such service shall have such effect. An executor or administrator who after his appointment removes from and resides without the State shall so appoint an agent within thirty days after such removal, and give public notice thereof. If an agent appointed under the provisions of this section dies or removes from the State before the final settlement of the accounts of his principal, another appointment shall be made, filed and recorded as above provided, and public notice thereof given; the powers of an agent appointed under the provisions of this section shall not be revoked prior to the final settlement of the estate unless another appointment shall be made as herein provided. Neglect or refusal by an executor or administrator to comply with any provision of this section shall be cause for removal. An executor or administrator, residing out of the State shall not appoint his co-executor or co-administrator, residing in the State, as his agent.

CHAP. 43

—upon removing from State shall appoint agent.

Second appointment may be made.

—penalty for neglect.

Approved March 10, 1915.

Chapter 43.

An Act Relating to Certain Causes for Which the License of an Insurance Agent May Be Cancelled.

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

Whenever the Insurance Commissioner shall become satisfied that any insurance agent licensed in this State has wilfully violated any of the insurance laws of this State, or has wilfully over-insured property located in this State, or has wilfully misrepresented any policy of fire insurance, or has dealt unjustly with or wilfully deceived any citizen in this State in regard to any fire insurance policies, or has failed or refused to pay either to the company which he represents, or has represented, any money or property in the hands of such agent belonging to the company, when demanded, or has in any other way become unfit for such position; the Insurance Commissioner may, after a hearing, revoke the license of such agent for all the companies which he represents in this State for such length of time as he may decide, not exceeding one year; provided, however, that the Insurance Commissioner shall give said agent ten days' notice of such revocation of license or licenses and the reasons therefor.

—license may be revoked for violation of law,—misrepresentation.

—proviso.

Approved March 10, 1915.